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COMMITTEE MEETING  
STATE OF CALIFORNIA  
INTEGRATED WASTE MANAGEMENT BOARD  
SUSTAINABILITY AND MARKET DEVELOPMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING  
1001 I STREET  
2ND FLOOR  
COASTAL HEARING ROOM  
SACRAMENTO, CALIFORNIA

TUESDAY, FEBRUARY 7, 2006  
10:00 A.M.

TIFFANY C. KRAFT, CSR, RPR  
CERTIFIED SHORTHAND REPORTER  
LICENSE NUMBER 12277

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Mr. Gary Petersen, Chair

Ms. Cheryl Peace

Ms. Patricia Wiggins

BOARD MEMBER ALSO PRESENT

Ms. Margo Reid Brown

Ms. Rosalie Mul

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Holly Armstrong, Staff Counsel

Ms. Debbie Balluch, Executive Assistant

Mr. Elliot Block, Staff Counsel

Mr. Robert Conheim, Staff Counsel

Mr. Tom Estes, Deputy Director, Administration & Finance  
Division

Ms. Betty Fernandez, Staff

Ms. Judy Friedman, Acting Deputy Director, Waste  
Prevention and Market Development

Mr. Nate Gauff, Staff

Mr. Jerry Hart, Supervisor, Buy Recycled

Mr. Jeff Hunts, Supervisor, Electronic Waste Recycling  
Section

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES CONTINUED

STAFF

Ms. Natalie Lee, Staff

Ms. Corky Mau, Supervisor, Recycling Business Development

Mr. Jon Myers, Assistant Director, Public Affairs Office

Mr. Bill Orr, Branch Manager, Recycling Technologies

Mr. Trevor O'Shaughnessy, Supervisor

Ms. Dassi Pintar, Staff

Mr. Kyle Pogue, Supervisor

Mr. John Smith, Branch Manager, Recycling Business  
Assistance

Mr. Kevin Taylor, Supervisor, Waste Prevention & Market  
Development

Ms. Lorraine Van Kekerix, Deputy Director, Diversion,  
Planning & Local Assistance Division

Mr. Govindan Viswanathan, Staff

Ms. Shirley Willd-Wagner, Branch Manager, Electronic  
Waste Recycling Branch

Ms. Dorothy Woody, State Agency Assistance Group

ALSO PRESENT

Mr. Arturo Aleman, Susanville Rancheria

Mr. Jack Barr, Department of General Services

Ms. Katherine Brandenburg, The Flanigan Law Firm

Mr. Peter Bruck, City of Rohnert Park

Mr. Tony Budrovich, California Science Center

Ms. Donna Carey, DGS

APPEARANCES CONTINUED

ALSO PRESENT

Ms. Sushma Dhulipala, San Francisco Department of Environment

Mr. Evan Edgar, CRRC

Mr. Brian Gitt, Build It Green

Ms. Guillermina Hall, California Rehabilitation Center

Mr. Kevin Hamm, Madera County

Ms. Tracey Harper, Nevada County Recycles

Ms. Elaine Juarez, California Rehabilitation Center

Ms. Karen Kho, Stop Waste Org.

Mr. Leonard Lang, Allan Company

Mr. Alan Nakashima, County of Santa Barbara Public Works Department

Mr. Dan Noble, Association of Compost Producers

Mr. Michael Pace, Kimpton Hotels

Mr. Paul Ryan, Inland Empire, L.A. County Waste Management Association, Orange County Waste Management Association

Mr. Asit Shah, Arna Trading

Ms. Virginia St. Jean, San Francisco Department of Public Health Green Programs

Ms. Terrie Tatosian, Deputy Director of Administrative Services, Department of Mental Health

Mr. Scott Terrell, Truckee Donner, Public Utility District, Sierra Green Building Association

Ms. Leslie Wells, County of Santa Barbara Public Works Department

Mr. Charles Williams, San Diego Community College District, Mesa College

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1 PROCEEDINGS

2 CHAIRPERSON PETERSEN: Good morning, everybody.

3 Welcome to the February 7th meeting of the California  
4 Integrated Waste Management Board Sustainability and  
5 Markets Development Committee.

6 We have some exciting new members. Again,  
7 welcome, Pat Wiggins, as a member of the Committee.  
8 Looking forward to working with you on this. We've got  
9 lots to do.

10 And also welcome to Margo Reid Brown, the new  
11 member of the Board.

12 BOARD MEMBER BROWN: Thank you.

13 CHAIRPERSON PETERSEN: And agendas are available  
14 at the back. Everybody knows the drill on this, I think.  
15 If you want to speak on an item, please fill out a speaker  
16 slip and give it to Ms. Balluch. Wave your hand.

17 While the Committee's in session, all cell phones  
18 or pagers off or on the silent mode.

19 Deb, would you please call the roll?

20 EXECUTIVE ASSISTANT BALLUCH: Peace?

21 COMMITTEE MEMBER PEACE: Here.

22 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

23 COMMITTEE MEMBER WIGGINS: Here.

24 EXECUTIVE ASSISTANT BALLUCH: Petersen?

25 CHAIRPERSON PETERSEN: Here.



1           Are all Committee members up to date on ex  
2 partes? Great.

3           Before we begin today's meeting this morning, I'd  
4 like to provide an opportunity for public comment on items  
5 that are not on today's Committee agenda. Is there  
6 anybody out in the audience that wants to speak on  
7 anything? Great.

8           There was a couple of changes in the agenda this  
9 morning. Item D, Board Agenda Item 10, has been pulled.

10          In addition, the Committee will be considering  
11 Item I on our agenda, the renewal application for Santa  
12 Barbara County's Recycling Market Development Zone after  
13 our discussion of the Zone Program in Agenda Item L.  
14 We're going to switch those around.

15          And Ms. Van Kekerix, do you have your Deputy  
16 Director's report?

17          (Thereupon an overhead presentation was  
18 presented as follows.)

19          DEPUTY DIRECTOR VAN KEKERIX: I do have a Deputy  
20 Director's report for you today, and it's a bit longer  
21 than our typical Deputy Director's report. And we also  
22 have Power Points, which you usually don't see in the  
23 Deputy Director report. But it seemed easier to give you  
24 an update on the Board's action plans with some Power  
25 Points today.

1           The first one that I'm going to go over is the  
2 Alternative Diversion Compliance Action Plan update.

3                               --o0o--

4           DEPUTY DIRECTOR VAN KEKRIX: Just for a bit of  
5 background, diversion rate measurement accuracy and  
6 compliance with the law have been issues since the early  
7 1990s. Our diversion rate measurement system is complex,  
8 and we've had several Board efforts over time to improve  
9 the accuracy and impact on compliance. All of our  
10 processes here at the Board are open and public, and we've  
11 had extensive stakeholder input on all of our processes.  
12 And I believe that's improved the products that we've come  
13 up with.

14           We've had a number of revisions to the statute to  
15 improve accuracy. In addition, we've had regulation  
16 revisions to improve accuracy. Our most recent regulation  
17 revision to improve accuracy was our disposal reporting  
18 system regs which went into effect on January 1st of this  
19 year.

20                               --o0o--

21           DEPUTY DIRECTOR VAN KEKRIX: In the fall of 2004,  
22 the Board directed staff to start a public process to  
23 identify options for an alternative system. We were to  
24 address the issues with our existing system. We talked  
25 about complexity before. Some of the data that is needed

1 to calculate diversion rates is not available until one  
2 year after the measurement year. So if our measurement  
3 year is 2004, the data would not be available to us until  
4 December of 2005. About half of our jurisdictions have  
5 1990 base years. That's the base we use to compare their  
6 current efforts to, and those base years may no longer be  
7 accurate.

8           When you think about the changes in society and  
9 types of businesses, there's been a lot of change since  
10 1990. Disposal data tends to be more accurate for larger  
11 areas with fewer boundaries for individual jurisdictions.  
12 This is particularly true where you have complex  
13 boundaries and cities that look like octopus tentacles  
14 coming down and in areas like Los Angeles County where you  
15 have 89 jurisdictions within a single county.

16           We've also found over time that small, rural  
17 jurisdiction data fluctuates greatly on an annual basis.  
18 And that is very problematic for them when calculating  
19 diversion rates.

20                   And, finally, addressing accuracy issues is very  
21 time consuming, both for the Board staff and for the  
22 individual jurisdictions.

23 --o0o--

24 DEPUTY DIRECTOR VAN KEKERIX: So as part of our  
25 public workshops, we asked the stakeholders what they

1 wanted to see in a compliance and diversion rate  
2 measurement kind of system, and they said they wanted  
3 timely measurement. They wanted flexibility that took  
4 into account the differences between the jurisdictions.  
5 They wanted accountability. They wanted a simple system,  
6 cost effective system, and they wanted to use the  
7 measurement as an indicator and focus on diversion program  
8 implementation.

9 --o0o--

10 DEPUTY DIRECTOR VAN KEKERIX: We have developed  
11 an option that meets the criteria. We've distributed that  
12 to stakeholders. We've discussed it at public workshops.  
13 I think throughout this process we've had six to eight  
14 workshops with the public. And the option that we have  
15 come up with is built on the existing system. Under this  
16 option, we will defer setting the actual goal or  
17 requirement to the Legislature, but propose a structure  
18 for doing this. We would rely on countywide disposal data  
19 as an indicator which is consistent with the statutory  
20 intent to reduce waste disposal and the Board's zero waste  
21 goal. And we will be getting more accurate disposal  
22 reporting numbers with newly revised regulations.

23 The option focuses on diversion programs, because  
24 that's what really reduces the waste that's sent to  
25 disposal and reduces time spent on measurement issues and

1 progress reports sent to the Board. You're spending less  
2 time on measurement and progress reports. You have more  
3 time to devote to implementing diversion programs. And,  
4 finally, it keeps the Board's existing biennial review  
5 framework for reviewing jurisdiction projects with some  
6 changes to reflect the items that were listed above.

7 --o0o--

8 DEPUTY DIRECTOR VAN KEKERIX: So here's a brief  
9 comparison. I put the changes in red. So jurisdictions  
10 will still have to have a plan and adopt the plan, but  
11 instead of meeting diversion requirements, they would  
12 achieve a new disposal requirement.

13 Jurisdictions would still have to implement its  
14 plan. We would cut down the progress reports from  
15 jurisdictions from annually to every other year or  
16 biennially. In that progress report, we wouldn't look at  
17 a diversion rate. We'd have a countywide disposal rate as  
18 an indicator, and we would allow them to describe growth.  
19 And they would also continue to tell us about diversion  
20 program implementation.

21 --o0o--

22 DEPUTY DIRECTOR VAN KEKERIX: The Board would  
23 still review a jurisdiction's progress in meeting the  
24 requirements every two years, but we would use countywide  
25 disposal as an indicator. We would evaluate diversion

1 program implementation, and we would have increased  
2 scrutiny of diversion program implementation if the  
3 countywide disposal requirement was not met.

4 --o0o--

5 DEPUTY DIRECTOR VAN KEKERIX: In other words, if  
6 the countywide disposal requirement was met and they were  
7 implementing all their programs, it would be just like the  
8 current review for jurisdictions meeting the diversion  
9 requirement in implementing all programs. And only if  
10 there was an issue with not implementing program or the  
11 countywide disposal rate would we increase the scrutiny.

12 We would still allow Board to consider whether  
13 jurisdictions have made a good faith effort, and we would  
14 add to that consideration of their description of the  
15 impact of growth on their meeting the disposal  
16 requirement.

17 And the compliance order is currently based on  
18 diversion program implementation, and we would still have  
19 the compliance order based on diversion program  
20 implementation.

21 --o0o--

22 DEPUTY DIRECTOR VAN KEKERIX: So the Board  
23 directed the staff in November of last year to submit an  
24 option to the Legislature, and I'm happy to say that the  
25 letter has been sent to both the Senate and the Assembly.

1 This will be the start of any discussions on development  
2 of the legislation, and we expect that all parties will  
3 want to weigh in on both the option and the new disposal  
4 goal and requirement.

5 So that concludes my update on the status of  
6 alternative diversion compliance.

7 --o0o--

8 DEPUTY DIRECTOR VAN KEKERIX: And I'd be happy to  
9 answer any questions.

10 CHAIRPERSON PETERSEN: We have a question.

11 COMMITTEE MEMBER WIGGINS: Did you hear back from  
12 the Senate and Assembly?

13 DEPUTY DIRECTOR VAN KEKERIX: We have not heard  
14 back from them. But we will be following up to make sure  
15 that they got it.

16 EXECUTIVE DIRECTOR LEARY: Lorraine, if I might,  
17 Chair Petersen. That letter hasn't actually been sent  
18 yet. You all sent it up the chain of command. I got it  
19 this morning and suggested some changes. So it hasn't  
20 gone over yet, but it will shortly.

21 COMMITTEE MEMBER WIGGINS: Well, is there any  
22 feedback requested from them or is it advisory? What is  
23 the intent of the letter?

24 EXECUTIVE DIRECTOR LEARY: My understanding of  
25 the intent of the letter, Member Wiggins, is to offer our

1 thinking on this issue to the leaders of two critical  
2 Committees, the Chair of Environmental Quality and the  
3 Chair of Natural Resources in the Assembly, offer our  
4 thinking on this issue for their consideration if they  
5 would choose to take the legislative initiative to offer  
6 something.

7 COMMITTEE MEMBER WIGGINS: So it asks for action  
8 on their part?

9 DEPUTY DIRECTOR VAN KEKERIX: Yes. And our  
10 legislative staff has been meeting with people over at the  
11 Senate and the Assembly during the past year as it was  
12 being developed. So they are aware that the Board has  
13 been working on this.

14 COMMITTEE MEMBER WIGGINS: Thank you very much.

15 DEPUTY DIRECTOR VAN KEKERIX: Okay. I have a  
16 second action plan update.

17 --o0o--

18 DEPUTY DIRECTOR VAN KEKERIX: This one is on the  
19 Market Assessment Action Plan. And I'm going to be  
20 splitting this with Trevor O'Shaughnessy.

21 --o0o--

22 DEPUTY DIRECTOR VAN KEKERIX: I'll give some  
23 introductory material, and then Trevor will give you  
24 information on what we've done to date.

25 First of all, this is a Board-wide effort. We



1 have many, many people from all divisions in this Board  
2 who are working on the project and working diligently on  
3 it.

4 The purpose of this Action Plan is to evaluate  
5 the flow of materials within the state with a focus on our  
6 pilot programs. We think this will be a very beneficial  
7 effort. We will benefit here at the Board in  
8 understanding more about what kinds of materials are going  
9 where, where we may have gaps in the infrastructure, that  
10 the Board may need to consider what kinds of policy to  
11 focus on to increase the infrastructure for diversion, and  
12 that will help both local governments and businesses.

13 --o0o--

14 DEPUTY DIRECTOR VAN KEKERIX: The MAAP -- that's  
15 what we call it for short. Another one of those acronyms  
16 to learn. The MAAP effort will help shape our future  
17 focus on waste diversion. We'll also be getting barriers  
18 and future opportunities for market development,  
19 identifying the infrastructure that's currently in place,  
20 and barriers to increasing diversion and achieving zero  
21 waste. We hope to develop a method that --

22 --o0o--

23 DEPUTY DIRECTOR VAN KEKERIX: -- can be used  
24 statewide, and we hope this will help us better focus our  
25 assistance as well as focusing future waste

1 characterization study efforts.

2 --o0o--

3 DEPUTY DIRECTOR VAN KEKERIX: We have an outline  
4 of tasks, which I'm not going to go through, because  
5 Trevor is going to be telling you about each one  
6 individually. But just for future reference, they're  
7 listed here.

8 --o0o--

9 --o0o--

10 DEPUTY DIRECTOR VAN KEKERIX: Here we go. Trevor  
11 is going to take over to tell you about the current  
12 status.

13 --o0o--

14 SUPERVISOR O'SHAUGHNESSY: The current status of  
15 the overall project and the steps that were undertaken  
16 have well progressed into the implementation of the Action  
17 Plan as was originally presented to the Integrated Waste  
18 Management Board. We've gone through and identified  
19 specific material types that we wanted to focus on to  
20 achieve an impact on California's overall diversion and  
21 recycling efforts. They include corrugated newspaper,  
22 miscellaneous paper, as well as organics, food waste, and  
23 green waste product.

24 --o0o--

25 SUPERVISOR O'SHAUGHNESSY: Other materials that

1 are included are C&D, plastic; including pete, HDPE,  
2 miscellaneous containers, and film plastic product.  
3 Collectively, these are making up approximately 50 percent  
4 of the total disposed waste stream. So we are trying to  
5 go after the overall effort of reducing the amount of  
6 materials going into California's landfills.

7 --o0o--

8 SUPERVISOR O'SHAUGHNESSY: The staff has gone  
9 through a process internally with both the Markets  
10 Division as well as the DPLA Division. But Markets has  
11 been very assistive in this area, where the staff has  
12 evaluated existent studies, reports, databases, contacted  
13 and worked with industry, looked at the infrastructure of  
14 information, and developed a list of key contacts. So as  
15 we move forward with this project, we will be able to  
16 evaluate and/or survey the individuals to understand the  
17 flow.

18 --o0o--

19 SUPERVISOR O'SHAUGHNESSY: Using existing data,  
20 the MAAP team has developed a series of flow charts using  
21 the available data. The flow charts are preliminary --  
22 that word -- at this time, but we'll be using our field  
23 verification to evaluate our flow charts to see whether or  
24 not our knowledge --

25 --o0o--

1           SUPERVISOR O'SHAUGHNESSY:  -- and understanding  
2 of the flow charts does truly represent where materials  
3 are going within the system.

4           This is an example of one of the flow charts on  
5 construction and demolition.  And, again, the flow chart  
6 was based on the knowledge of the Markets Division and  
7 their specific focused staff that they have in there.  
8 This shows kind of a simplified flow of construction and  
9 demolition of materials throughout starting at the  
10 demolition or deconstruction company.  But then on the  
11 peripheral, you always have the manufacturers, the  
12 installers, the haulers of materials, and all that.

13                               --o0o--

14           SUPERVISOR O'SHAUGHNESSY:  But when we look at  
15 plastics as another example, there's a lot of cross-over  
16 of materials that are going on that's really making it  
17 interesting for the entire MAAP project to identify where  
18 best to focus our efforts, to do our surveying, to  
19 understand the flow of the products and the materials.  
20 This flow chart is showing the transportation of packaging  
21 and non-bag commercial industrial film.  There's other  
22 flow charts that have been developed looking at other  
23 products within even the plastic arena that are helping us  
24 to look at where best to do and implement our surveying  
25 project.

1 --o0o--

2 SUPERVISOR O'SHAUGHNESSY: We have gone  
3 through -- and originally the project was presented to the  
4 Board as looking at the entire state of California and  
5 looking at the flow of materials within the state. When  
6 the project team looked at that, we kind of took a step  
7 back and said that's pretty huge. So let's look at and  
8 start creating a pilot implementation of this program  
9 and --

10 --o0o--

11 SUPERVISOR O'SHAUGHNESSY: -- look at targeting  
12 specific areas as a pilot program. So with that, there  
13 were four counties that were identified due to their  
14 different characteristics.

15 Words are not coming out well today.

16 We're looking at Marin, San Francisco,  
17 Sacramento, and San Joaquin Counties and their flows  
18 overall. In part, we're looking at these areas because we  
19 feel they represent in a good way the entire state of  
20 California. But then there's also the staffing resources  
21 that we have and the transportation of staff and/or doing  
22 the surveying centralizes it closer to the headquarters.  
23 But that was not the only selection criteria for looking  
24 at these jurisdictions.

25 --o0o--

1           SUPERVISOR O'SHAUGHNESSY: From there, we have  
2 developed a draft survey and are working with a  
3 contractor. The Board did provide to us contract dollars  
4 to implement a contract to evaluate our surveys to make  
5 sure we're on track, and we're working with Humboldt State  
6 University on that.

7                               --o0o--

8           SUPERVISOR O'SHAUGHNESSY: What are our future  
9 efforts? Where are we going from here? We have to move  
10 forward. We're going to be looking forward. We're going  
11 to be looking at future efforts of the overall program and  
12 performing site visits. So we're going to start out with  
13 local governments, use them as our brain trust for the  
14 counties, as well as the local cities within those  
15 counties and survey them to get an understanding from them  
16 what they know about their jurisdictions.

17           From that, we're going to be working with the  
18 generators, the haulers, and the processors that kept  
19 flying by us, and all the other entities we've identified  
20 within the survey areas, and provide follow-up as  
21 necessary to obtain the data we need to have a good  
22 balanced study of what the flow is of materials.

23                               --o0o--

24           SUPERVISOR O'SHAUGHNESSY: Additionally, as we go  
25 through, we will be compiling the data and analyzing the

1 data to develop conclusions and bringing those to the  
2 Board for final critique and/or overview.

3 --o0o--

4 SUPERVISOR O'SHAUGHNESSY: As we go through the  
5 process, we will be, as was stated, assessing the data,  
6 identify barriers that we may have come up against either  
7 through private businesses or local government, whatever,  
8 to help us guide and develop our procedures and/or reduce  
9 the barriers that if we decide to go further with this  
10 overall effort on a statewide basis or on a regional  
11 basis. And again as was stated, present the findings and  
12 recommendations to you all so you can either direct the  
13 Board staff and/or decide the future effort and work on  
14 this.

15 --o0o--

16 SUPERVISOR O'SHAUGHNESSY: Another element, as we  
17 went through the process and we came forward to the Board,  
18 was to put the information in a GIS, or geographic  
19 information system, study. So as part of the pilot, the  
20 Board has allocated \$75,000, and we're currently working  
21 with the Information Management Branch to develop a GIS  
22 mapping system that will show where these businesses are  
23 located and attempt to show the flow of the materials  
24 within the state of California through the four pilot  
25 counties that we have in place. As this moves forward,

1 we'll use the Deputy Director's report to provide  
2 additional information of its overall status.

3 --o0o--

4 DEPUTY DIRECTOR VAN KEKERIX: So just a brief  
5 summary. We've completed a number of tasks: The  
6 identifying of material types, contacts, and defined the  
7 pilot areas. We've partially completed the survey. We've  
8 got the draft up at Humboldt State, and we're waiting for  
9 comments back from them.

10 --o0o--

11 DEPUTY DIRECTOR VAN KEKERIX: And in the future,  
12 we'll be scheduling site visits with local government and  
13 businesses, compiling data, analyzing it, critiquing and  
14 developing recommendations for the Board, and working on  
15 the geographic information system.

16 --o0o--

17 DEPUTY DIRECTOR VAN KEKERIX: We will be doing  
18 that as a team with the cross-division efforts, and I  
19 believe that we'll have folks from Markets Division, DPLA,  
20 and P&E involved in all of those phases.

21 So any questions?

22 CHAIRPERSON PETERSEN: Yes. Lorraine and Trevor,  
23 as you do these surveys, are you contacting the scrap  
24 metal dealers, paper stock dealers, auto wreckers? Are  
25 they going to be part of the survey?



1           DEPUTY DIRECTOR VAN KEKERIX: We'll definitely be  
2 talking with the paper. I'm not sure that we have the  
3 auto scrap dealers listed, because the material types that  
4 we were listing were paper, organics, C&D, and plastic.

5           CHAIRPERSON PETERSEN: I understand that. But my  
6 thought is this is very interesting what you're coming up  
7 with. And what interests me the most is what are we using  
8 here domestically as far as the resources what are we  
9 doing to develop the infrastructure here in the state?  
10 Where else is it going in the country, within the United  
11 States? More importantly, where is it going out of the  
12 country, Mexico, Asia? And looking at the types and sizes  
13 and tonnages that are being moved there. And the reason  
14 I'm bringing this up is the value added; we build the  
15 infrastructure here, not over there.

16           DEPUTY DIRECTOR VAN KEKERIX: We are trying to do  
17 that. We haven't sent the surveys out yet, but we will be  
18 sending them out. And those are the kinds of places we  
19 hope to send them to. We're hoping that we can also get  
20 information from some of the local governments to add to  
21 our list of folks to contact about this to get a more  
22 complete picture of where the waste is going. But the  
23 flow out of the country is a big issue, especially for  
24 places like San Francisco where they've got the port right  
25 there, and things are being shipped out all the time.

1           CHAIRPERSON PETERSEN: Where you also get some  
2 help is from the associations. The Scrap Industry  
3 Association will help you.

4           DEPUTY DIRECTOR VAN KEKERIX: We will get in  
5 touch with you to get some of those contacts.

6           CHAIRPERSON PETERSEN: Fabulous.  
7 Is there any other comments?

8           COMMITTEE MEMBER PEACE: I just want to say our  
9 Market and Sustainability staff has been really busy.  
10 They've been doing a lot of work, and I appreciate all the  
11 effort that they've been putting in these things because  
12 they're big projects.

13           I also do want to say I'm very much in support of  
14 this alternative diversion compliance. It's going to be  
15 so much more accurate than disposal numbers. These  
16 disposal numbers will be much more accurate than the  
17 diversion numbers. The disposal numbers will be much more  
18 timely and get away with so much extrapolation. And I  
19 think this is a great thing.

20           I was going to ask, the letter that we're going  
21 to send to the Legislature that hasn't been sent yet, who  
22 usually signs that letter?

23           EXECUTIVE DIRECTOR LEARY: The letter to the  
24 Senate is prepared for my signature and your signature.  
25 And the Assembly is my signature and Member Wiggins'

1 signature.

2 COMMITTEE MEMBER PEACE: Okay. Great. Thank  
3 you.

4 CHAIRPERSON PETERSEN: I have one question. On  
5 the background we've laid on this in talking to the  
6 legislators about this, any opinions? Any comments from  
7 them?

8 DEPUTY DIRECTOR VAN KEKERIX: Well, I was not  
9 personally in the meeting, so I can just report to you  
10 what I was told. Mark was there. But I was told that  
11 they have been very interested and asking a lot of  
12 questions about the proposal. And they're waiting to see  
13 the proposal come forward.

14 EXECUTIVE DIRECTOR LEARY: The Alternative  
15 Diversion Measurement System, yes. I was part of the  
16 conversation where former Deputy Director Pat Schiavo and  
17 a couple of us went over and briefed a couple of the  
18 critical staffers over at the Legislature, and they were  
19 very receptive to the benefits that this alternative  
20 measurement system will bring to our ability to measure  
21 diversion in the state.

22 CHAIRPERSON PETERSEN: That's grand. Good stuff.  
23 I guess we move on to Item B.

24 DEPUTY DIRECTOR VAN KEKERIX: This will be the  
25 Consideration of the Five-Year Review Report of the

1 Countywide Integrated Waste Management Plan for the County  
2 of Madera, Committee Item B. And Natalie Lee of the  
3 Office of Local Assistance will make the presentation.

4 MS. LEE: Good morning, Mr. Chair and members of  
5 the Board.

6 The County of Madera completed the five-year  
7 review of its Countywide Integrated Waste Management Plan  
8 and determined that a revision of the plan was not  
9 necessary at this time. Board staff has evaluated the  
10 county's review report and has determined that the  
11 required elements have been addressed. Therefore, it is  
12 staff's recommendation that the Board approve Madera  
13 County's assessment that no revision is necessary.

14 This concludes my presentation. There are  
15 representatives from the county here if you have any  
16 questions.

17 CHAIRPERSON PETERSEN: Does anybody from the  
18 county want to speak on this?

19 We'd like to have a motion then.

20 COMMITTEE MEMBER PEACE: I would like --

21 CHAIRPERSON PETERSEN: Who is getting up? Please  
22 state your name.

23 MR. HAMM: Good morning, Chair Petersen, Members  
24 Wiggins, Peace, and Brown. My name is Kevin Hamm. I'm  
25 the Assistant County Engineer with Madera County. I'd be

1 happy to answer any questions that you may have of us.

2 CHAIRPERSON PETERSEN: Anybody have any  
3 questions? Guess not.

4 COMMITTEE MEMBER PEACE: If there are no  
5 questions, I'd like to move Resolution 2006-16.

6 COMMITTEE MEMBER WIGGINS: Second.

7 CHAIRPERSON PETERSEN: Deb, could you call the  
8 roll?

9 EXECUTIVE ASSISTANT BALLUCH: Peace?

10 COMMITTEE MEMBER PEACE: Aye.

11 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

12 COMMITTEE MEMBER WIGGINS: Aye.

13 EXECUTIVE ASSISTANT BALLUCH: Petersen?

14 CHAIRPERSON PETERSEN: Aye.

15 Great. Okay. Now we're off to Item Number --

16 DEPUTY DIRECTOR VAN KEKERIX: C.

17 CHAIRPERSON PETERSEN: There we go.

18 DEPUTY DIRECTOR VAN KEKERIX: This is the  
19 Consideration of the Amended Nondisposal Facility Element  
20 for the Sacramento County/City of Citrus Heights Regional  
21 Agency. And the Nondisposal Facility Element is a listing  
22 of facilities that the jurisdictions are going to use to  
23 meet the diversion requirements. And Kyle Pogue will make  
24 the presentation.

25 SUPERVISOR POGUE: Good morning, Committee

1 members. Kyle Pogue from the Office of Local Assistance.

2 The Sacramento County/City of Citrus Heights  
3 Regional Agency is amending its Nondisposal Facility  
4 Element by identifying and describing the Lopez  
5 Agricultural Services Composting and Soil Blending  
6 Facility. This regional agency has submitted all required  
7 documentation for this facility. And staff, therefore,  
8 recommends approval of this amendment.

9 This concludes my presentation. Thank you.

10 CHAIRPERSON PETERSEN: Any comments?

11 I'll ask for a motion.

12 COMMITTEE MEMBER WIGGINS: I'd like to move this  
13 adoption of Resolution 2006-17.

14 COMMITTEE MEMBER PEACE: Second.

15 CHAIRPERSON PETERSEN: Debbie, call the roll,  
16 please.

17 EXECUTIVE ASSISTANT BALLUCH: Peace?

18 COMMITTEE MEMBER PEACE: Aye.

19 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

20 COMMITTEE MEMBER WIGGINS: Aye.

21 EXECUTIVE ASSISTANT BALLUCH: Petersen?

22 CHAIRPERSON PETERSEN: Aye.

23 We need to move those to the consent agenda and  
24 also Item B, which I forgot to mention.

25 Okay. We're on to E.

1           DEPUTY DIRECTOR VAN KEKERIX: E, yes. This is  
2 Consideration of a Request to Change the Base Year to 2002  
3 for the Previously Approved Source Reduction and Recycling  
4 Element for the Unincorporated Area of Napa County.

5           Jurisdictions may choose to ask us to change the  
6 base year to improve the accuracy of the diversion rate  
7 measurement system. Napa County has done this. And Betty  
8 Fernandez will be making the presentation.

9           MS. FERNANDEZ: Good morning, Committee members.  
10 I always forget to do that when I address you.

11           CHAIRPERSON PETERSEN: I forget, too.

12           MS. FERNANDEZ: The unincorporated area of Napa  
13 County has requested to use its previously approved 2002  
14 generation study to establish a 2002 base year. The  
15 county has requested a 67 percent diversion rate for the  
16 2002 base year. As a result of the staff verification  
17 finding, staff is recommending changes to the base year  
18 data which will adjust the base year diversion rate to 63  
19 percent. The county's request also included a petition  
20 for biomass diversion credit which accounts for 1 percent  
21 in the county's diversion rate to 64 percent.

22           As part of the base year study review, Board  
23 staff conducted a detailed site visit to verify the  
24 accuracy of the study. As a result of staff verification  
25 findings, Board staff proposed the changes documented in

1 Attachment 3 of the agenda package.

2 Board staff has determined that the information  
3 for the county's new base year and its biomass diversion  
4 credit claim are accurately documented. Therefore, Board  
5 staff recommends the Board adopt Option 2, which would  
6 approve the county's request to use its previously  
7 approved 2002 generation study to establish a new 2002  
8 base year with staff and/or Board suggested modifications  
9 as well as its biomass diversion claim. Amy Garden of the  
10 county's Department of Environmental Management is  
11 available to address questions.

12 This concludes my presentation.

13 CHAIRPERSON PETERSEN: Any questions? Comments?

14 Do I hear a motion?

15 COMMITTEE MEMBER WIGGINS: I'd like to move  
16 adoption -- where is it -- adoption of Resolution 2006-19.

17 COMMITTEE MEMBER PEACE: Second.

18 CHAIRPERSON PETERSEN: Deb.

19 EXECUTIVE ASSISTANT BALLUCH: Peace?

20 COMMITTEE MEMBER PEACE: Aye.

21 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

22 COMMITTEE MEMBER WIGGINS: Aye.

23 EXECUTIVE ASSISTANT BALLUCH: Petersen?

24 CHAIRPERSON PETERSEN: Aye.

25 This is also on the consent agenda.



1           On to F.

2           DEPUTY DIRECTOR VAN KEKERIX: This item is  
3 Consideration of Action for Noncompliance with Public  
4 Resources Code Section 42921(a) By: Atascadero State  
5 Hospital; California Department of Mental Health;  
6 California Department of Transportation Headquarters;  
7 California Men's Colony; California Parks and Recreation  
8 Angeles District; California Parks and Recreation,  
9 Monterey District; California Parks and Recreation,  
10 San Diego Coast District; California Rehabilitation Center  
11 Prison; California Science Center; Calipatria State  
12 Prison; Department of Corrections; Department of  
13 Developmental Services; Department of General Services,  
14 Procurement Division; Department of Water Resources;  
15 Ironwood State Prison; Mesa College; Office of Statewide  
16 Health Planning and Development; Patton State Hospital,  
17 Pelican Bay State Prison; Richard J. Donovan Correctional  
18 Facility; San Quentin State Prison; Southern Youth  
19 Correctional Reception Center and Clinic; State  
20 Compensation Insurance Fund; Ventura Youth Correctional  
21 Facility, 16th District Agricultural Association; and 50th  
22 District Agricultural Association.

23           Dorothy Wood with the State Agency Assistance  
24 Group will be making this presentation to the Board.

25           (Thereupon an overhead presentation was

1           presented as follows.)

2           MS. WOODY: Good morning, Board members. How are  
3 you all doing? I'm Dorothy Woody, as Lorraine said. I'm  
4 here to present Item 12, Consideration of Action for  
5 Noncompliance with the Public Resource Code Section 42921.

6                               --o0o--

7           MS. WOODY: I'm going to provide a brief overview  
8 of AB 75, the process that staff goes through when  
9 reviewing the annual report, why this agenda item is  
10 before you, and state agencies not in compliance.

11                              --o0o--

12           MS. WOODY: AB 75 came about because a local  
13 jurisdiction stated they were not meeting their mandate  
14 because state agencies were not required to divert from  
15 the landfill. Therefore, in October of '99, AB 75 was  
16 signed into law.

17           Agencies and large state facilities are required  
18 to participate. And large state facilities, by statute the  
19 definition is campuses of CSUs, community colleges,  
20 prisons within Department of Corrections, Department of  
21 Transportation, and others that the Board deems large  
22 state facilities.

23           As I stated, each state agency and large facility  
24 no matter the size, meaning two employees to a thousand,  
25 are required to submit a report. In 2000, each state

1 agency was required to submit an Integrated Waste  
2 Management Plan, which projected out the diversion  
3 programs and tonnages were projected out until 2006.

4 --o0o--

5 MS. WOODY: Each state agency was required to  
6 appoint a recycling coordinator, and this recycling  
7 coordinator is the key point person for staff to be in  
8 contact with.

9 For the majority of the state agencies, the waste  
10 diversion goal activity is only a small portion as the  
11 RC's overall duties. This is for the majority of  
12 agencies. There is some that they have a full-time  
13 recycling coordinator.

14 Public Contract Code 42921 mandates that 20  
15 percent of solid waste generated be diverted from the  
16 landfill in 2002 and 50 percent be diverted by 2004.

17 --o0o--

18 MS. WOODY: Starting in 2001, Public Contract  
19 Resource Code Section 42926 mandated that an annual report  
20 was due to the Board by April 1st for the previous  
21 calendar year. So the 2005 calendar year will be due here  
22 in April 2006 in a couple of months.

23 Moneys saved by state agencies due to cost  
24 savings and recycling are to go back into diversion  
25 programs, such as buying containers, posters, whatever, to

1 help them to improve their diversion.

2 --o0o--

3 MS. WOODY: The key to our success is that no one  
4 is left out there on their own.

5 --o0o--

6 MS. WOODY: Workshops have been given statewide,  
7 various workshops. The first one was in 2000 which was  
8 for the plan. And the second and third workshop was given  
9 in 2001/2002 that covered the annual report.

10 Training by staff has been ongoing since 2000  
11 when AB 75 was implemented. Training is either done on a  
12 one-on-one basis or as a group depending on the agency's  
13 need. The web is a great resource for the public or state  
14 agencies or the local government. To name a few of the  
15 things that are on the web is AB 75, which is a detailed  
16 model plan; a video, a step by step how to complete a  
17 report; the solid waste generation disposal and diversion  
18 guide, which is very valuable; lists of contracts  
19 available to the state agencies; and last but not least is  
20 the state organization agency recycling database. This is  
21 a database anybody can look up any state agency's report  
22 back to 2000.

23 --o0o--

24 MS. WOODY: State agencies are required to  
25 measure the diversion and disposal. Main categories for

1 diversion are the source reduction, recycling, composting,  
2 special waste, material recovery, and transformation.  
3 These are all reflected in the annual report and are  
4 broken down even further in the categories.

5           The annual report is a wonderful way to identify  
6 what is working or is not working as far as solid waste  
7 generated, diverted, or disposed. Plus, state agencies  
8 can identify and develop programs to reach the best  
9 diversion rate.

10                               --o0o--

11           MS. WOODY: In 2004, I'm proud to say 100 percent  
12 of the state agencies submitted an annual report.  
13 Therefore, they were all in compliance with Public  
14 Resources Code Section 42926. All annual reports are  
15 available for viewing as I stated earlier in the SOARD.

16                               --o0o--

17           MS. WOODY: Staff's review and analysis is done  
18 in numerous ways. The first is when a state agency  
19 submits their report electronically, there's automatically  
20 built-in validation. When the report is submitted by the  
21 state agencies, e-mailed notifications are sent. One is  
22 automatically sent to the state agency thanking them for  
23 submitting their electronic report. The other is to staff  
24 letting them know they have received the report.

25           Staff assignments are made up of like agencies.

1 For instance, all the fairs, one person handles. Another  
2 is the prisons, et cetera. This allows for similarity and  
3 consistency. Staff reviews and analyzes report data,  
4 narrative responses, and individual annual report. Direct  
5 contact with the recycling coordinator staff is either by  
6 e-mail, fax, or telephone. Staff will ask questions, get  
7 clarification when needed. Site visits have been and will  
8 continue to be conducted when necessary.

9 --o0o--

10 MS. WOODY: This item is before you because not  
11 all state agencies met the 50 percent diversion mandate.  
12 Originally, 26 state agencies were included. However, now  
13 there is only 17. All 17 state agencies acknowledge they  
14 did not meet the mandate.

15 --o0o--

16 MS. WOODY: The nine state agencies submitted  
17 additional documentation which staff reviewed and  
18 analyzed, and they are now above the 50 percent mandate.

19 --o0o--

20 MS. WOODY: Because these nine state agencies  
21 have now met the 50 percent diversion mandate, it is being  
22 recommended that these state agencies be removed. The  
23 nine state agencies are: Atascadero State Hospital,  
24 Calipatria State Prison, Department of Corrections,  
25 Department of Water Resources, Ironwood State Prison, San

1 Quentin State Prison, Southern Youth Correctional  
2 Reception Center and Clinic, Ventura Youth Correctional  
3 Facility, and the 50th District Agricultural Association.

4 --o0o--

5 MS. WOODY: Options for the Board presented in  
6 agenda item are: Direct staff to develop a letter to the  
7 Legislature signed by the Board's Chair reporting the  
8 state agencies identified in item are not in compliance  
9 with the 50 percent diversion mandate.

10 Option 2. Direct Board staff to assist state  
11 agencies to help them achieve the 50 percent mandate.

12 Option 3. Direct staff to request each state  
13 agency to submit an explanation of how they plan to meet  
14 the 50 percent diversion.

15 4. Take no action at this time and provide staff  
16 with further direction.

17 --o0o--

18 MS. WOODY: Staff recommendation: Option 1,  
19 letter to the Legislature. Option 2, staff continue  
20 assisting state agencies. Option 3, request explanation  
21 of plan to meet 50 percent.

22 --o0o--

23 MS. WOODY: Packet letters have been provided to  
24 you from those agencies that were not able to attend today  
25 for whatever reason. Representatives are available from

1 various state agencies at this time.

2 This concludes my presentation. Is there any  
3 questions?

4 DEPUTY DIRECTOR VAN KEKERIX: I just have one  
5 comment to add. We just got an additional letter from the  
6 Angeles District of California State Parks, which Trevor  
7 is going to distribute to you. And the staff  
8 recommendation to remove the nine agencies is reflected in  
9 the Revised Resolution.

10 CHAIRPERSON PETERSEN: Okay. Any comments?

11 COMMITTEE MEMBER WIGGINS: I have a question.  
12 How long have they been out of compliance? A year?

13 DEPUTY DIRECTOR VAN KEKERIX: Well, our  
14 measurement system is going to be in arrears. So this is  
15 their annual report for 2004. And they have -- it has  
16 taken some doing for staff to get the reports in. They  
17 didn't all come in on April 1st of 2005 like they were  
18 supposed to. But now we have 100 percent of the annual  
19 reports in, and we've reviewed those. So this is the  
20 annual report for 2004.

21 COMMITTEE MEMBER WIGGINS: And they're still out  
22 of --

23 DEPUTY DIRECTOR VAN KEKERIX: The annual report  
24 for 2005 isn't due out for another couple months yet.

25 COMMITTEE MEMBER WIGGINS: Okay. Thank you.



1           COMMITTEE MEMBER PEACE: But the state is  
2 requiring jurisdictions to get to 50 percent. So it is  
3 logical that we would also require state agencies to get  
4 to 50 percent. In reading some of these letters, though,  
5 some of these agencies do have some major challenges. And  
6 I was wondering when we send the letter to the  
7 Legislature, do we also send these letters that we've  
8 received along with that letter?

9           DEPUTY DIRECTOR VAN KEKERIX: That would be the  
10 staff's proposal, is that if we have explanation letters  
11 from the state agencies, and many of them have already  
12 submitted such a letter, that we include those with the  
13 letter to the Legislature.

14          COMMITTEE MEMBER PEACE: Yeah. I would like to  
15 see that happen, because some of them are trying to get to  
16 50 percent. I'm just looking here at one example is from  
17 the Patton State Hospital, you know, mental health. They  
18 said they're really trying, but they're mandated to  
19 purchase, you know, large quantities of materials from the  
20 PIA. And some of those -- they're required to purchase  
21 them here, but they don't -- but the containers that  
22 either their clothing or milk come in are not always  
23 packaged in recyclable materials. So there are certain  
24 challenges. And so I really think I would like to see  
25 these letters sent along so that the Legislature does know

1 what challenges some of these agencies do face.

2 I also have a question.

3 DEPUTY DIRECTOR VAN KEKERIX: Can I make one  
4 comment on that? I think that this is another example of  
5 where our action plans and our programs are going to be  
6 able to complement each other and work closely. You're  
7 going to hear this afternoon about the -- or later this  
8 morning if we're lucky -- about the Green Procurement  
9 Action Plan. And because these are state agencies, those  
10 Green Procurement Action Plan items will have a direct  
11 impact on them, and trying to pull a lot of material out  
12 of the front end, and institutionalize a lot of the  
13 requirements for diversion so that it's easier for places  
14 like Patton to meet the requirements of the law.

15 COMMITTEE MEMBER PEACE: In AB 75, it requires  
16 the CSUs to get to 50 percent and the community colleges.  
17 And I guess from looking at this, it looks like all of the  
18 CSUs and community colleges except one did get to 50  
19 percent, which is great. The bill does not require K  
20 through 12 to get to 50 percent. When you look at some of  
21 the different jurisdictional annual reviews and stuff,  
22 they are starting to require their K through 12s to  
23 implement some recycling, you know, for that jurisdiction  
24 to get to 50 percent.

25 My question is the U.C. schools are not required

1 to get to 50 percent?

2 SUPERVISOR O'SHAUGHNESSY: Specifically within  
3 the language of AB 75, the UCs are exempt, but they are  
4 encouraged to participate. The UCs have very strong  
5 recycling programs, and they are implementing activities  
6 in a very strong fashion. However, they're just not  
7 reporting that through the reporting system of AB 75.

8 COMMITTEE MEMBER PEACE: So the UC schools are --  
9 because, you know, with the 20-, 30,000 students, they're  
10 like a little city within themselves. So you do hear they  
11 do have recycling going on. Jurisdictions aren't  
12 complaining that, "Gosh, we can't get to our 50 percent  
13 because the UCs aren't cooperating"? Okay. Thank you.

14 CHAIRPERSON PETERSEN: Okay. Got some questions.  
15 On the training that we're doing for the  
16 recycling coordinators, how extensive is that? And we do  
17 one-on-one? We also have, I guess, workshops? Is there a  
18 certificate that they get once they've gone through this  
19 that they know what they're doing?

20 SUPERVISOR O'SHAUGHNESSY: There's no certificate  
21 program. We do go through both one-on-ones. We have  
22 focused programs whereas an example down in Los Angeles  
23 County and through the community college districts, one  
24 campus asked us to come down to train their recycling  
25 coordinator that was new in the process. We then talked

1 with and communicated with the district office, and every  
2 campus within that district came to a single location  
3 where we were able to provide training through and  
4 advising them on not only submitting their annual report,  
5 but also what counts. And then finally we had a walking  
6 of the campus to show best practices, and/or where the  
7 program could be enhanced to provide additional insight so  
8 that everyone was able to learn and actually see things.

9 As for a specific certificate, you know, nothing  
10 is issued or put in print in that fashion. It hasn't been  
11 requested by the recycling coordinators. And in addition  
12 to that, with the turnover of recycling coordinators, some  
13 of them last six months. Some of them last several years.  
14 You know, it becomes difficult to track and/or identify  
15 whether, you know, the benefits of that.

16 DEPUTY DIRECTOR VAN KEKERIX: But we do have  
17 assistance available to every recycling coordinator. We  
18 have training materials available on the website. But in  
19 addition, whenever one of the recycling coordinators from  
20 a state agency calls, the staff goes through various  
21 training with them over the phone asking them the  
22 questions to get them to think about things and does a lot  
23 of one-on-one kind of assistance as well.

24 CHAIRPERSON PETERSEN: Right. But there's  
25 nothing like walking around to see what's going on and to

1 see the opportunities on these facilities. Because  
2 there's things that, you know, people just pick up while  
3 you're walking around. And we do that; correct?

4 SUPERVISOR O'SHAUGHNESSY: Yes. Very proactively  
5 we do that.

6 CHAIRPERSON PETERSEN: That's great.

7 Now, I have one question. Why can't we get the  
8 UC system to submit their numbers?

9 SUPERVISOR O'SHAUGHNESSY: Specifically, under  
10 the statute, they are not required to submit their numbers  
11 to us.

12 CHAIRPERSON PETERSEN: Can we just ask them?

13 SUPERVISOR O'SHAUGHNESSY: They have been asked  
14 in the past. Actually, when we initially started the  
15 program -- and this isn't said in any negative way against  
16 them. We invited them to participate, and they pretty  
17 much responded back, "The legislation says we don't have  
18 to, and we're not at this time."

19 CHAIRPERSON PETERSEN: Okay.

20 COMMITTEE MEMBER PEACE: Do you think it would be  
21 something we would want to do when we send this letter to  
22 the Legislature to suggest that the UC schools be added to  
23 AB 75?

24 SUPERVISOR O'SHAUGHNESSY: From the staff's  
25 standpoint, it would be beneficial to understand the

1 impacts of the program. But at the same time, the  
2 programs and the elements and the focus that they have  
3 when we have visited their campus and had workshops on  
4 their campuses, inviting the others that are mandated,  
5 they're doing what the CSUs are doing and the community  
6 colleges. So you're asking a question would we like more  
7 data? Well, staff always likes data and information.

8 COMMITTEE MEMBER PEACE: You don't want to upset  
9 somebody at the UC system.

10 SUPERVISOR O'SHAUGHNESSY: There's that.

11 CHAIRPERSON PETERSEN: We don't -- well, I just  
12 think it might be -- we should take a look at that and  
13 just talk that through later on. But I'd like to talk to  
14 you guys about that, or the Legislature. Okay.

15 Is there any other comments?

16 We've got some speakers that want to address the  
17 Board. Terrie Tatosian -- I'm sorry I didn't pronounce  
18 that right -- Deputy Director, Administrator Mental Health  
19 Center, I guess. Why don't you tell us who you are and  
20 where you're from.

21 MS. TATOSIAN: I am Terrie Tatosian.  
22 Mr. Chairman, Board members, good morning. I am Terrie  
23 Tatosian, the Deputy Director of Administrative Services  
24 of Department of Mental Health. I'm here representing  
25 Mental Health, the Office of Statewide Health Planning and

1 Development, and the Department of Developmental  
2 Services, as we all share the same Bateson building.  
3 We're all tenants in that building and sort of share in  
4 this requirement to divert 50 percent.  
5 The other departments are also here, should you have any  
6 questions of them.

7           As you know, we reported that we did not meet for  
8 2004, our diversion requirement, and there are a number of  
9 reasons for that. I can certainly go into the detail. We  
10 had a number of barriers that existed that prevented us  
11 from meeting them and actually even knowing if what we  
12 reported was accurate.

13           We had our entire solid waste tonnage for the  
14 Bateson building was credited to a different building, so  
15 we didn't get credit for that. So staff are kind of in  
16 the position of trying to make up the information on what  
17 to report. I'm new there, so I'm just finding this out.  
18 So then in 2004, it was actually accurately reported, at  
19 least the tonnage was reported, so then it looked like our  
20 diversion went way down.

21           A number of other issues, we had issues with our  
22 recycler. We have changed recyclers now. We have issues  
23 with that recycler not giving us reports, so we didn't  
24 have adequate reports on which to even monitor what we  
25 were doing and then try to, you know, get back on track

1 and meet those goals.

2 I think what's most important -- unless you have  
3 more questions about that. What's most important is how  
4 we want to go forward and attempt to meet those goals in  
5 2005 hopefully, but at least the 2006 report. We are  
6 going to coordinate all three departments that are in that  
7 Bateson building.

8 We're going to coordinate with the building  
9 manager -- it is a DGS managed building -- to assure our  
10 tonnage is managed and reported correctly. We are going  
11 to incorporate the green waste diversion data into our  
12 annual report accurately. We're going to ensure that we  
13 have written procedures developed for the custodians and  
14 institute monthly business service officer manager  
15 meetings for all three departments. We are going to  
16 attempt to get quarterly reports from our new contractor,  
17 which we would never manage to achieve through their last  
18 contractor.

19 One of the issues too is our cafeteria was never  
20 in the program. We're going to try to bring them into the  
21 program. There were issues with the dock not being  
22 monitored. So we didn't even know if the stuff we were in  
23 fact trying to recycle was getting recycled. And then  
24 we're going to incorporate a recycling awareness and  
25 training program. We're going to work with the Board to



1 do more training and more awareness of our staff as well.  
2 And we currently have no staff dedicated to the recycling  
3 effort. One thing we're going to do is pool our resources  
4 and get a building-wide, if you will, coordinator to look  
5 at this program, give us suggestions and ideas working  
6 with the Board as to how we can in fact improve our goals  
7 there.

8 CHAIRPERSON PETERSEN: Just one comment. So is  
9 this a high-rise building or --

10 MS. TATOSIAN: It's four stories.

11 CHAIRPERSON PETERSEN: Four stories. You have a  
12 recycling service provider and a waste hauler providing  
13 service to you?

14 MS. TATOSIAN: We do.

15 CHAIRPERSON PETERSEN: And you're going to  
16 coordinate together -- none of this happens without a  
17 recycling coordinator. None of this.

18 MS. TATOSIAN: And we don't currently have one,  
19 and we don't have any dedicated staff in the three  
20 departments.

21 CHAIRPERSON PETERSEN: So that's one of -- I  
22 mean, that's your first step. And then -- well, there's  
23 specifics on some of this stuff. Do you have a cafeteria  
24 in the building?

25 MS. TATOSIAN: We do.

1           CHAIRPERSON PETERSEN: And is the waste hauler  
2 and the service provider the same company?

3           MS. TATOSIAN: That I don't know.

4           CHAIRPERSON PETERSEN: Recycler and the hauler  
5 who's hauling your trash.

6           MS. TATOSIAN: I know we're using Pride  
7 Industries as the recycler. I don't know if the hauler is  
8 also Pride Industries.

9           CHAIRPERSON PETERSEN: Okay. What I suggest, if  
10 you don't mind me making a suggestion, is come over here  
11 and take a look, have whoever your recycling coordinator  
12 is and whoever all the other bosses involved, come on over  
13 and take a look at what we're doing here. And it probably  
14 really will help you big time to get where you need to go.  
15 Because this is not for a -- I've done a lot of this over  
16 the years, so it's not hard to do if you just get it all  
17 together.

18           Anyway, go ahead. I'm sorry.

19           MS. TATOSIAN: That was pretty much what I was  
20 going to say, unless you had questions of the other three  
21 departments.

22           CHAIRPERSON PETERSEN: No. I think we kind of  
23 get where you've got to go.

24           When you go through your design on this, it's  
25 always interesting -- do you have -- well, going into the

1 details of this is probably something I shouldn't do in  
2 the Board here. But I know how to do this, so it's not  
3 hard.

4           Anyway, well, thank you very much.

5           Are there any questions or comments? Okay.

6 Thank you.

7           All right. We have another, California Science  
8 Center, Tony Budrovich.

9           MR. BUDROVICH: Good morning to you.

10          CHAIRPERSON PETERSEN: Good morning.

11          MR. BUDROVICH: I'm Tony Budrovich from the  
12 California Science Center. When filling out the form, it  
13 asked if we opposed or agreed with the action. We believe  
14 that sustainability and the action of diversion is very  
15 important. And as the Science Center, we stress it with  
16 our visiting guests.

17          We, too, suffer from the standpoint of achieving  
18 the goal has been very difficult for us. We've never  
19 passed the 22 percent mark in the three years that we  
20 recorded. We're in excess of 50 percent if you look at  
21 our office building. But we report for both Exposition  
22 Park, which is a large park in Los Angeles. Happens to  
23 have the Los Angeles Memorial Collaseum and sports arena  
24 in it. We also report for the California African American  
25 Museum.

1           So if we were to report based on what we do in  
2   our office buildings, we meet the 50 percent.  
3   Unfortunately, we have to report on a park that hosts  
4   concerts, large sporting events, USC football games. And  
5   most of the recycling programs that we've tried with  
6   outside cans and signage and things like that is somewhat  
7   ignored. So unless we were to physically enter the cans  
8   and start sorting trash, we don't have much luck on the  
9   sorting so that we can recycle.

10           We do have exhibits within the building. We have  
11   five exhibits that basically speak to recycling, reuse,  
12   and basically sustainable building designs, things like  
13   that. We have recycling programs within our buildings.  
14   We believe in leading through example. As a Science  
15   Center, we think it's an important part of our environment  
16   and eco system and speak to those points.

17           We have educational programs where we teach the  
18   community about composting and recycling and all these  
19   types of things. But, you know, it's an embarrassment to  
20   us that we can't meet the goals of the state of  
21   California, because that 50 percent is critically  
22   important to all of us. But we don't know how to get  
23   there. Like I said, we've not even gotten close.

24           And so part of the issue is how we can meet a  
25   50 percent. We've worked with Waste Management, and

1 they've come out and walked our facility. They've noticed  
2 we meet, you know, all the objectives in our buildings,  
3 but we don't in our overall deposit. So I think that's  
4 really where we're coming from. We continue to work with  
5 Waste Management on new methods. They'd like to see us  
6 take a little stronger stance in the park with our  
7 recycling program. Right now I think we have 20  
8 containers and 160 acres that actually speak to recycling  
9 and separate all the trash cans, but we do have them in  
10 our building. That's really where I'm coming from.

11 CHAIRPERSON PETERSEN: According to this, you  
12 have an overall diversion rate of 6.4 percent.

13 MR. BUDROVICH: That's what happened last year.  
14 We were substantially higher than that, but we built a  
15 school in collaboration with L.A. Unified School District.  
16 And all of the rebuilding materials and everything that  
17 went there was not allowed to be reported by our agency  
18 because it was reported by L.A. Unified. That would have  
19 put us into the 20 percent level, but it was denied. We  
20 couldn't both report it.

21 CHAIRPERSON PETERSEN: First of all, your office  
22 building, you're doing okay; right?

23 MR. BUDROVICH: We're doing very well, yes.

24 CHAIRPERSON PETERSEN: Then your recycling, have  
25 you explored it with Waste Management? Have you explored

1 it with other service providers to help you with a  
2 different technique to recover materials?

3 MR. BUDROVICH: The biggest difficulty we have in  
4 the city of Los Angeles is they don't have a green  
5 recycling program run by the city that we can participate  
6 in. So our green product goes into our trash waste --

7 CHAIRPERSON PETERSEN: No. The Bureau of  
8 Sanitation has its own program out in the San Fernando  
9 Valley. They're recovering about 1600 tons a day. Waste  
10 Management's processing the stuff at the Bradley Landfill.  
11 There's a huge green waste program.

12 I'm a little confused, because I know the  
13 Coliseum. We worked on the '84 Olympics doing the  
14 recycling, and we got a very, very high recovery rate.  
15 But we went and did it a different way. We use what we  
16 call a dirty MRF to sort the materials and bring the  
17 recycling rate up. And who's your recycling coordinator?

18 MR. BUDROVICH: Murphy Malony, our chief of plant  
19 operations.

20 CHAIRPERSON PETERSEN: Has he been through the  
21 training with the Board?

22 MR. BUDROVICH: Yeah.

23 CHAIRPERSON PETERSEN: How did we do? Did he  
24 pass?

25 DEPUTY DIRECTOR VAN KEKERIX: We don't have a

1 test at the end of the training.

2 CHAIRPERSON PETERSEN: So you've got a lot to do  
3 I guess. So do you have any -- have you talked with staff  
4 about what you want to do? I mean, there's a way to solve  
5 this, and there's a way to work this. In fact, we put the  
6 first recycling program at the Museum of Science and  
7 Industry way back in the early '80s. And I don't know  
8 what happened with it. But --

9 MR. BUDROVICH: We don't see an easy way to  
10 achieve the 50 percent goal for the overall park. That's  
11 really where we worked with Waste Management, and together  
12 we are all trying to improve our percentages. But getting  
13 to the 50 percent seems very difficult.

14 CHAIRPERSON PETERSEN: Lorraine.

15 DEPUTY DIRECTOR VAN KEKERIX: Staff can volunteer  
16 with our new venues program and the new venues tools that  
17 we have developed and are on the website. We can  
18 volunteer to work with them to see what we can do, in  
19 terms of identifying other options for them to improve  
20 their diversion rate.

21 CHAIRPERSON PETERSEN: All right. How much time  
22 does your recycling coordinator spend on working at your  
23 facilities, or does this guy work on the recycling  
24 program?

25 MR. BUDROVICH: Are you talking about the time it

1 takes to pick up the materials?

2 CHAIRPERSON PETERSEN: No. Implementing  
3 programs, calling around to see who's doing what, where  
4 the green waste goes, how you can do venue recycling and  
5 stuff like that. How much time does he spend?

6 MR. BUDROVICH: I would estimate probably three  
7 to four hours a month.

8 CHAIRPERSON PETERSEN: Not enough, not for a  
9 facility that size.

10 Well, anyway, Lorraine, good luck, guys. I hope  
11 you can make it. All right. Thank you very much.

12 Oh, sorry. There's one more question.

13 COMMITTEE MEMBER WIGGINS: Did you send a letter?  
14 I didn't see a letter.

15 MR. BUDROVICH: We didn't send a letter because  
16 the letter would not get us anywhere near the 50 percent.  
17 The way we understood the request was that if you felt you  
18 had something to report to meet the goal of 50 percent,  
19 then you should discuss that.

20 COMMITTEE MEMBER WIGGINS: Well, some people sent  
21 letters describing what their issues and problems in  
22 meeting this were. And you have this huge park --

23 SUPERVISOR O'SHAUGHNESSY: If I may, Ms. Wiggins.  
24 Trevor O'Shaughnessy.

25 When we talked with everyone, we really presented



1 it in the fashion if you're not able to come down to the  
2 budgetary constraints and other issues, to submit a letter  
3 to present themselves rather than coming in person to  
4 present their case.

5 It wasn't so much, you know, give us a letter to  
6 outline everything, because we weren't specific or  
7 knowledgeable of what direction the Board was going to  
8 give us as staff to either develop plans with the state  
9 agencies and/or move forward in what direction. So the  
10 Science Center had opted to come in person to present  
11 and/or discuss their barriers and their plan to move  
12 forward to achieve the mandated goal.

13 BOARD MEMBER BROWN: I just have one comment.  
14 And I think I'm somewhat disappointed that you don't even  
15 have a plan to move forward. You're not the only  
16 institution in the state with the same challenges. And I  
17 would expect if you would come here, you would at least  
18 have some proposals or a plan to submit to the Board on  
19 how you can solve this and achieve the 50 percent. Six  
20 percent really doesn't even come close.

21 MR. BUDROVICH: Yeah. The only way we know to do  
22 it is physically sort our own trash on site. And that  
23 would be the only option we have. And we haven't found a  
24 way to physically do that with our existing resources.

25 CHAIRPERSON PETERSEN: There's other people that

1 sort off site that you could work with other service  
2 providers that you should explore.

3 MR. BUDROVICH: We tried to bid that last year  
4 and could not get a taker. We bid our trash pickup  
5 contracts to do post-sorting, because we did post-sorting  
6 three years ago. And the only supplier in Los Angeles  
7 that we were able to find no longer did the service. So  
8 we have attempted a variety of things to try to get there.

9 CHAIRPERSON PETERSEN: I know three of them right  
10 away you probably should talk to. So maybe we should help  
11 you a little bit more. We'll see what we can do.

12 MR. BUDROVICH: That would be great.

13 CHAIRPERSON PETERSEN: But really you guys have  
14 got to do a better job. This has to get fixed. Okay.  
15 Thank you.

16 Next speaker, Charles Williams, San Diego  
17 Community College District. I guess this is regarding  
18 Mesa College.

19 MR. WILLILAMS: Good morning, members of the  
20 Board. My name is Charles Williams. I'm the Planner,  
21 Estimator, Supervisor from the San Diego Community College  
22 District. I'm here to represent Mesa College. And as  
23 before stated, Mesa College did not reach their 50 percent  
24 diversion. I believe they're at 42.7 percent.

25 Although I'm new at the position of recycling

1 coordinator, because it was kind of handed to me, I've  
2 implemented several changes since my appointment in  
3 November of '05. These changes would include all of the  
4 contracts going out for construction by our architect  
5 department now have written into them C&D diversion and  
6 the diversion of excess building materials.

7           The major change that I made day one when I  
8 received the position was to remove all large 40 yard  
9 roll-off bins from uncontrolled areas. There was many  
10 areas not just in Mesa but in the entire district where  
11 bins were placed where people from the surrounding  
12 neighborhoods could use it as their own personal dumping  
13 sites.

14           The 40-yard green disposal bins I've had removed  
15 and replaced with numerous four-yard lockable bins  
16 throughout our campuses so that the gardening departments  
17 will be able to fill those, keep them locked, and ensure  
18 that nobody from the neighborhoods dumped anything in  
19 there to contaminate the green waste.

20           I have mandated that our tree trimming crew chip  
21 all tree trimmings and use them on our sites. I've  
22 developed a program where all of our continuing ed sites  
23 that have skilled trades teaching to divert all of their  
24 steel, be it from the welding program or the appliance  
25 repair to recycling facilities, turn all reports in to me.

1           I've also implemented a program where all of the  
2   pallets in our shipping and receiving department either  
3   get turned back into the companies that sent them to us.  
4   We found a facility that will buy good pallets from us and  
5   found a place where we can donate the pallets that are not  
6   usable for them to use them for other things.

7           Also I've noticed that in the past the  
8   administrators on the campuses were not real receptive to  
9   recycling. So I've scheduled to meet with them in what  
10   they call a flex training program to present to them  
11   options, whether it be changing from catalogs sent to them  
12   from companies say in the chemistry department, they get a  
13   bunch of catalogs sent to them, to doing their shopping  
14   for teaching supplies online.

15           I've also made sure that each of the supervisors  
16   for the buildings and grounds department report to me any  
17   time they need to do any type of a demolition to have  
18   roll-offs provided for them so none of their demolition  
19   gets thrown into the receptacles going to the landfills.  
20   I've also, as recent as yesterday, met with other  
21   community colleges in San Diego to observe the programs  
22   they have and am now putting together a program of single  
23   stream diversion to try to further increase our efforts.

24           The cans and bottles that have been picked up on  
25   our campuses for the past seven years -- and this was

1 something that a former recycling coordinator had put into  
2 place -- is picked up by a nonprofit organization that  
3 kept pretty shoddy records. And I've noticed that in the  
4 past they've turned in tonnage reports that were identical  
5 with just the dates changed.

6           So our hauler's contract is up shortly, and I  
7 plan to rewrite the contract and get the single stream  
8 diversion program written into their contract. Because  
9 they provided very good records for us in the past. And I  
10 realize that a professional company provides professional  
11 results, and a nonprofit company seems to provide the kind  
12 of results you would expect from a nonprofit company.

13           So in the future, I don't see that diversion  
14 would be a problem at all for Mesa College. The things  
15 that I'm working on now seem to -- just one of the many  
16 programs would be able to bring us above the 50 percent  
17 diversion, and my goals are to get far above 50 percent in  
18 the future.

19           CHAIRPERSON PETERSEN: Great. Thank you.

20           Any comments or questions?

21           COMMITTEE MEMBER PEACE: Comment. Sounds like in  
22 the short amount of time you've been there, you've really  
23 jumped right in and made some great changes. It doesn't  
24 sound to me like you're going to have trouble getting to  
25 your 50 percent.

1           MR. WILLIAMS: My former position was the  
2 buildings and grounds trade coordinator. And I'm a  
3 recycling nut. And I've seen for years things that  
4 bothered me in the system. And I've thought about before  
5 getting this position. So it was stuff that I wanted to  
6 do, I just didn't have the power.

7           CHAIRPERSON PETERSEN: Well, great. You're not  
8 going to have a problem getting over 50 percent. Good  
9 going. And on your contracts you're going to submit to  
10 service providers, is it more on the comprehensive  
11 approach to help with you recycling and get them to help  
12 you with maybe some public education on the campus and  
13 stuff?

14          MR. WILLIAMS: I was actually going to do the  
15 public education myself. And I have a number of staff  
16 that would like to help as well, not staff that work for  
17 me, but college district staff being professors and  
18 associated student body has been interested. But as far  
19 as the service provider, I was looking more to get a  
20 single source going. There seems to be too many hands in  
21 the pot right now.

22          CHAIRPERSON PETERSEN: Well, sometimes your  
23 service providers have their own staff recycling  
24 coordinators that can help you. And there's some cross  
25 things they can do on coordinating educational campaign

1 materials and things like that. And I've done this, write  
2 it into their contract. And the more progressive ones  
3 that really know what they're doing will step to the plate  
4 and help you. Good for you.

5 MR. WILLIAMS: Well, thank you for the  
6 recommendation.

7 CHAIRPERSON PETERSEN: Okay. We have Guillermina  
8 Hall. You better tell us your name. And I know it's the  
9 California Rehabilitation Center. I got that part, but  
10 hello.

11 MS. HALL: Good morning. It's Guillermina Hall.  
12 I am the warden for the California Rehabilitation Center.  
13 I'm here because I want the Board to know that we take  
14 recycling serious.

15 In 2004 -- and by the way, I am the new warden of  
16 CRC. And in 2004, we reached the 41 percent of our goals,  
17 which is not 50 percent. 2005, we were at 51 percent, so  
18 we did meet our goals. But because I'm the new warden, I  
19 did meet with the recycling coordinator, Lane Juarez, and  
20 we are serious about our recycling program. And for 2006,  
21 we intend to go beyond the 51 percent, because there's  
22 some things that we have identified. We do have a  
23 corrective action plan that we're going to implement. And  
24 as the warden, I will keep on top of the recycling  
25 program.

1           CHAIRPERSON PETERSEN: Well, I'm not going to  
2 mess with you.

3           MS. HALL: Thank you. But we do have a  
4 comprehensive plan we're going to follow throughout the  
5 year.

6           CHAIRPERSON PETERSEN: I have no doubt it's  
7 probably going to happen. That's a great thing.

8           Also, are you utilizing the Board and staff and  
9 expertise we have to help you?

10          MS. HALL: Absolutely. What we're going to do is  
11 Elaine is going to spend about 25 percent of her time with  
12 the recycling program making sure that not only staff but  
13 the inmates participate in the recycling program. And as  
14 a result of that, we will get beyond 50 percent.

15          CHAIRPERSON PETERSEN: Great.

16          I have a question with regards to procurement on  
17 the one hand. Is there a lot of polystyrenes used in  
18 general in the prison systems?

19          MS. JUAREZ: Yes. It is shrink-wrapped, and we  
20 reuse it.

21          CHAIRPERSON PETERSEN: No. polystyrene plates  
22 and cups.

23          MS. HALL: Only during what we call lock down  
24 situations, or when we run out of -- if we don't have hot  
25 water where we can't wash our trays again, then we use the



1 foam plates and --

2 CHAIRPERSON PETERSEN: Okay. So part of our  
3 Green Procurement Program would have some alternatives to  
4 the polystyrene, because it's very hard to recycle and  
5 there are other things we could use.

6 MS. HALL: We don't use that often. Only during  
7 emergency situations.

8 CHAIRPERSON PETERSEN: Okay. Great. Any other  
9 questions?

10 Thank you very much. Look forward to you getting  
11 where you're going.

12 MS. HALL: Thank you.

13 CHAIRPERSON PETERSEN: Okay. Jack Barr,  
14 Department of General Services.

15 MR. BARR: Good morning, Mr. Chairman, Board  
16 members. My name is Jack Barr. I'm Deputy Director for  
17 General Services. I'm here today with a couple of  
18 suggestions that I think might help our procurement  
19 division.

20 First of all, our procurement division in 2004  
21 hit 47.9 percent, so we were very, very close. The  
22 impactors on our procurement division individually not  
23 hitting their goal had two things occurring. One, we  
24 closed our Fullerton warehouse operation, which reduced  
25 the waste stream itself. And number two, we started a

1 different program in 2004, which instead of recycling a  
2 lot of product to our recyclers or consequently possibly  
3 going to the landfill, we started reselling.

4 I don't know if you're aware we had certain  
5 California state garage sales once a month. We're having  
6 auction sales to where those CRTs and computers that used  
7 to be sent to recyclers are now being resold and used in  
8 schools and private industry itself. So one of the things  
9 we would like to recommend is when we identify that stream  
10 that normally went to recycle be counted into our tonnage  
11 as far as it being reused rather than recycled.

12 Item number two is that we report on five  
13 different areas within Department of General Services.  
14 And while I think the accountability of reporting these  
15 areas, which is our administration, which is all of our  
16 buildings and our construction projects, fleet  
17 administration, state printing, procurement division, and  
18 telecom division all report separately and are viewed  
19 separately, we would suggest that the Department of  
20 General Services be rolled up as one entity, but still  
21 report to the Board on all five segments, because I think  
22 that would be a good accountability.

23 If that were to occur, in 2004 DGS diverted  
24 12,600 tons from landfills, which overall our tonnage was  
25 now 87.4 percent if you view our department in whole.

1 Individually, like I had said, procurement  
2 division was at 47.9. Administration, which is our  
3 buildings and construction projects was at 87.8. Fleet  
4 administration at 85.1 percent. And OSP, State  
5 Publishing, was at 94.8 percent. And telecom diversion  
6 was at 59.8. So, overall, we're doing very well. And I  
7 think we've had a couple of things that have impacted our  
8 ability within the procurement division.

9 CHAIRPERSON PETERSEN: Any questions?

10 COMMITTEE MEMBER WIGGINS: Yeah. The question  
11 about the reuse not being counted, would you like to  
12 comment on that?

13 SUPERVISOR O'SHAUGHNESSY: Staff's comment on  
14 that is that the sale of product and the reuse in that  
15 fashion is reportable. We clearly communicate that as  
16 much as we can to the recycling coordinators. And if they  
17 feel that they're not able to obtain the proper  
18 documentation and/or report that to us, you know, we can  
19 only go by what is reported. But every state agency out  
20 there is reporting that in that fashion. If this is  
21 missing from their element, staff certainly wants to  
22 continue working with them to clarify that as needed.

23 MR. BARR: I wanted to come here today to clarify  
24 that so it can be in our 2005 report.

25 COMMITTEE MEMBER WIGGINS: I thought that was the

1 case.

2 CHAIRPERSON PETERSEN: Good idea. The other  
3 thing is you have a new boss, I guess, that's really into  
4 this.

5 MR. BARR: I understand.

6 CHAIRPERSON PETERSEN: So I can't wait to see the  
7 marching orders in your departments.

8 MR. BARR: I think we got them yesterday.

9 CHAIRPERSON PETERSEN: So you're not going to  
10 have a problem getting over the 50 percent. And good luck  
11 to you.

12 MR. BARR: Thank you very much.

13 EXECUTIVE DIRECTOR LEARY: Chair Petersen,  
14 another word in support of the procurement division. As  
15 you'll hear later in Agenda Item 18 about the Green  
16 Procurement Action Plan, the procurement divisions of  
17 General Services are a very strong partner with the Waste  
18 Board in implementing green procurement across state  
19 government. So although the diversion efforts may not  
20 quite be up to par, if there's some getting some extra  
21 points for leading the charge along with us and effecting  
22 green procurement across state government, they certainly  
23 deserve it.

24 CHAIRPERSON PETERSEN: And, Jack, one of the  
25 things I really want to emphasize, I won't have to do this

1 much. Your boss will, your new boss. The State of  
2 California and the buying power that you have will change  
3 the industry. Green procurement, use of recycled  
4 materials, all you have to do is sign the check, the  
5 market responds, and then we start building more recycling  
6 infrastructure in the state of California. And you're  
7 huge. This is really neat what you're going to do. And  
8 working with the Board, we appreciate that.

9 MR. BARR: I appreciate that, sir. In reality, I  
10 come from the construction side of General Services in a  
11 prior life. And we built into our all of our projects I  
12 think in 2004 it was almost 7500 tons of rubble, concrete,  
13 and asphalt that was in our projects. So it can be done.

14 CHAIRPERSON PETERSEN: It's huge. You're the  
15 showcase. So I'm looking forward to seeing what you're  
16 going to do.

17 MR. BARR: Thank you very much.

18 CHAIRPERSON PETERSEN: Okay. So do I have a  
19 motion?

20 COMMITTEE MEMBER PEACE: I'd like to move  
21 Resolution 2006-20 Revised.

22 COMMITTEE MEMBER WIGGINS: I won't second that,  
23 because I think there's an issue that -- the staff has  
24 been working very well with all of these for a long time  
25 and helping them move along. And the State should be a

1 leader in meeting -- well, especially AB 75 requires it.  
2 But they should be a leader in reuse and recycling. And  
3 so I think -- and this is to the Board, the rest of the  
4 Board, that we should send a copy of the letter listing  
5 those who are out of compliance to the Sacramento Bee,  
6 because we don't have the clout we should have, and this  
7 will give us some clout.

8 CHAIRPERSON PETERSEN: Well, okay. There's no  
9 second on the motion.

10 COMMITTEE MEMBER WIGGINS: And there's no  
11 copies -- I mean, the copies of the letters can accompany  
12 the letter, but where's our teeth if we don't do this?

13 CHAIRPERSON PETERSEN: I understand. Well,  
14 there's no teeth in the legislation. This is all a  
15 voluntary effort by the State agencies, and you're right.  
16 I mean, of all whoever is in California, the State  
17 agencies should be leading the show here. I agree with  
18 that.

19 So if we don't have a second, then staff --

20 BOARD MEMBER BROWN: Mr. Chairman, might I  
21 suggest that we take this a step at a time and at least  
22 follow Board's recommendation and send a letter to the  
23 Legislature, continue working with the agencies, and  
24 consider reconsideration of this item at a future date  
25 with a recommendation for consideration at a future time

1 of Member Wiggins to the Sacramento Bee.

2 I do think that we need to notify the Legislature  
3 that these agencies are not in compliance. We need to  
4 continue working with them. And, you know, I think we  
5 need to at least carry out staff's recommendation and make  
6 a movement somewhat forward. I don't know if just  
7 notifying the Sacramento Bee and the public that they're  
8 not in compliance will get us to where we want to be,  
9 which is the 50 percent diversion rate.

10 COMMITTEE MEMBER WIGGINS: Excuse me. But I  
11 didn't say I wasn't going to second the motion.

12 CHAIRPERSON PETERSEN: Oh, good. So do I have a  
13 second?

14 COMMITTEE MEMBER WIGGINS: Second the motion.

15 CHAIRPERSON PETERSEN: Okay. Deb, could you call  
16 the roll, please.

17 EXECUTIVE ASSISTANT BALLUCH: Peace?

18 COMMITTEE MEMBER PEACE: Aye.

19 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

20 COMMITTEE MEMBER WIGGINS: Aye.

21 EXECUTIVE ASSISTANT BALLUCH: Petersen?

22 CHAIRPERSON PETERSEN: Aye.

23 Now we're on to item G.

24 DEPUTY DIRECTOR VAN KEKERIX: Would that be on  
25 the consent calendar?

1           CHAIRPERSON PETERSEN: Yes, please.

2           COMMITTEE MEMBER PEACE: So Board Member Wiggins'  
3 suggestion that we send an article to the Bee, how will  
4 that come up and how will we discuss that and how will  
5 that stand now? Does staff have any feelings on whether  
6 this is a good thing or bad thing?

7           EXECUTIVE DIRECTOR LEARY: If I might, in  
8 following up on Member Brown's suggestion, we'll go as  
9 directed pursuant to the Resolution and then come back in  
10 -- Trevor, help me with a segment of time -- three months  
11 to revisit the performance of the noted State agencies to  
12 see how they're performing over the next three months with  
13 the consequence ultimately being potentially that  
14 letter.

15          COMMITTEE MEMBER PEACE: Because again, these  
16 numbers are for 2004. They might be in compliance for  
17 right now.

18          SUPERVISOR O'SHAUGHNESSY: That's correct. And  
19 if I may, Mr. Leary, the annual reports are due April 1st  
20 of this year that will reflect the '05 disposal and  
21 diversion efforts. Many of these entities have been  
22 implementing programs throughout '05 because we have  
23 continuously worked with them, not only to say, hey, '04  
24 you didn't quite make it. But through '05 you need to  
25 show us that you're there.



1           So asking for a time frame if we were to come  
2 back, we figure April is when they're due. If the  
3 entities are notified and they submit earlier, staff will  
4 be able to do a review and analysis and provide to the  
5 Executive Director with an update and summary of those  
6 specific ones that are before us to then provide  
7 additional information and guidance by the Board.

8           EXECUTIVE DIRECTOR LEARY: Maybe these  
9 jurisdictions could be the top of that list, the first to  
10 be analyzed for their 2005 performance and brought up  
11 first.

12          SUPERVISOR O'SHAUGHNESSY: And staff actively as  
13 they come in hit them. So we will work directly with  
14 these state agencies and facilities and ask them if they  
15 are able to submit prior to the April 1st date and move  
16 that forward in that fashion.

17          COMMITTEE MEMBER WIGGINS: Because if they've  
18 been out of compliance for two years or more, that's a big  
19 issue.

20          CHAIRPERSON PETERSEN: Right. Jon, do you think  
21 that there's a possibility that some of our communication  
22 skills could be lent to some of these institutions to help  
23 them?

24          ASSISTANT DIRECTOR MYERS: Certainly. I can work  
25 with staff on that.

1           CHAIRPERSON PETERSEN: Yeah. Just maybe get  
2 within the system and show them how to educate and  
3 communicate. Maybe that might be something we could do.

4           ASSISTANT DIRECTOR MYERS: And we are moving  
5 forward with a program similar to that right now so it  
6 ties in perfectly with what you're requesting.

7           CHAIRPERSON PETERSEN: Great.

8           EXECUTIVE DIRECTOR LEARY: For the benefit of the  
9 court reporter, that was Jon Myers.

10          CHAIRPERSON PETERSEN: So now are we all set  
11 here?

12          Okay. G, then.

13          Thanks, Judy.

14          ACTING DEPUTY DIRECTOR FRIEDMAN: Good morning,  
15 Chairman Petersen, Board members. Judy Friedman, Acting  
16 Deputy Director for the Waste Prevention Market  
17 Development Division this month.

18          As you know, this month the deputies are going  
19 over the Action Plans in their reports. You heard two  
20 from Lorraine. We're going to do this one a little  
21 differently in that the Green Procurement Action Plan is a  
22 regular agenda item on today's meeting, so I won't be  
23 going over that in this report.

24          I do have a few items to update you on before we  
25 move into the rest of the regular agenda. First, in

1 Plastics, staff held a workshop on January 25th in  
2 continuance of its collaborative process on plastic. Two  
3 projects are underway: One to increase plastics film  
4 collection from residential, commercial, and agricultural  
5 sources; and another to increase collection of rigid  
6 packaging in support of the rigid plastic packaging  
7 container, or RPPC, law.

8           The film plastic initiative is moving toward an  
9 implementation phase in 2006 based on the groundwork laid  
10 by working groups in 2005. The rigid packaging initiative  
11 is new. The focus here will be on convening work groups  
12 in 2006 to make recommendations on how, where, and what  
13 packaging can be increased. And staff anticipates  
14 implementation for this initiative will not begin in  
15 earnest until 2007.

16           In e-waste, one of the more exciting partnerships  
17 in our e-waste program implementation has been our work  
18 with the League of California Cities to provide online  
19 training for local government staff. Yvonne Hunter of the  
20 League of Cities proposed the webinar concept last year.  
21 Since then, we've worked with the League and their  
22 contractor to provide four classroom sessions designed to  
23 encourage local jurisdiction participation in the e-waste  
24 recycling program. Two beginner sessions were offered  
25 last August drawing 41 students. And last month we

1 offered the intermediate session titled, "I'm An Improved  
2 Local Government Contractor. How Do I Successfully  
3 Navigate the E-Waste Program Requirements?" About 24  
4 local government representatives attended this class.

5           Online training presents a tremendous potential  
6 for reaching stakeholders throughout the state. The  
7 inconvenience and expense of travel is avoided while still  
8 providing for active participation. Webinar attendees can  
9 ask real time questions of the instructors and follow  
10 along with presentations from their own desk.

11           Later this month, we are offering a class in  
12 completing the required net cost report. And we're sure  
13 that many other e-classroom opportunities will present  
14 themselves in the future.

15           A little update on climate change. On January  
16 23rd and 31st, the Climate Action Team held the last two  
17 public hearings on the report to the Governor and the  
18 Legislature. The focus of these hearings was the macro  
19 and economic analysis conducted by the Air Resources Board  
20 to estimate the impacts that implementing the greenhouse  
21 gas reduction strategies would have on the economy.

22           The analysis was conservative in that it looked  
23 at the cost and only some of the benefits, really only the  
24 savings from reduced use of fossil fuel, and determined  
25 that implementing strategies just in that analysis would

1 have a positive impact in terms of jobs and income. Two  
2 independent studies reached similar conclusions. And  
3 right now the Climate Action Team is finalizing the report  
4 for delivery to the Governor and Legislature this month.  
5 And it should be noted the Climate Action Team has  
6 received over 10,000 comment letters that we're working  
7 through.

8 Finally, I just want to give a heads up that  
9 international Compost Awareness Week is coming in May.  
10 Last year, we did a small demonstration project around  
11 that time which kicked off our Caltrans project, which  
12 we'll be discussing later on in the Green Procurement  
13 Action Plan. And it would probably be a good idea to  
14 start planning something to do coming up this May as well.  
15 We even have a How to Celebrate International Compost  
16 Awareness Week from the U.S. Composting Council. We just  
17 attended that conference last month. So we're going to  
18 get great ideas from that.

19 And with that, this concludes my Deputy Director  
20 Report. And we're ready to move into the regular agenda  
21 as you see fit.

22 CHAIRPERSON PETERSEN: Any comments?

23 Judy, I have one question. When they're doing  
24 the analysis of the greenhouse gasses, are we factoring in  
25 all the recycling that's done in the state, actually

1 making new products? Is that factored in in all the jobs  
2 that are created and the impacts on global warming?

3 ACTING DEPUTY DIRECTOR FRIEDMAN: Yes. We do  
4 have -- in fact, we're required under the Climate Action  
5 Team report to implement strategies to increase diversion,  
6 because there is a definite link between recycling and  
7 waste prevention and greenhouse gas reduction. So  
8 absolutely, yes.

9 CHAIRPERSON PETERSEN: It's huge. And it's going  
10 to get bigger.

11 ACTING DEPUTY DIRECTOR FRIEDMAN: It's very  
12 significant.

13 CHAIRPERSON PETERSEN: Okay. Thank you.

14 ACTING DEPUTY DIRECTOR FRIEDMAN: Thank you.

15 CHAIRPERSON PETERSEN: Item H.

16 ACTING DEPUTY DIRECTOR FRIEDMAN: Agenda Item H  
17 is Consideration of the Recycling Market Development  
18 Revolving Loan Program Application for Arna Trading, Inc.,  
19 d.b.a. Simba International, Fiscal Year 2005-2006. And  
20 Govindan Viswanathan will be making the presentation for  
21 staff.

22 MR. VISWANATHAN: Good morning, Board members.

23 Simba International is requesting a loan of  
24 101,250 to purchase shredding machinery and equipment.  
25 The equipment purchase is projected to assist in

1 increasing the diversion of post-consumer and industrial  
2 plastic waste from the landfill by 300 tons per year and  
3 create two additional jobs. The project is located in  
4 Oceanside, California within the North San Diego County  
5 Recycling Market Development Zone.

6 Simba International was established in 1992 and  
7 incorporated as a California corporation in July 1998.  
8 Simba International is a plastic resin distributor,  
9 exporter, and a plastic recycling company.

10 Asit Shah, President and stockowner of Simba  
11 International, maintains two plastic recycling facilities  
12 in California, one recycling facility in Phoenix, Arizona,  
13 and a distribution and collection center in Mexico. The  
14 Oceanside recycling facility does grinding. The proposed  
15 RMDZ loan will facilitate the addition of the shedding  
16 process at the Oceanside facility. The Pomona facility  
17 does shredding, grinding, and processes material for sale  
18 to compounders and repalletizers.

19 Staff from the Board Permitting and Enforcement  
20 Division has reviewed the project and has reported no  
21 solid waste permit is required. Diversion, Planning, and  
22 Local Assistance Diversion has reviewed the project and  
23 has recommended the material to be processed with Simba  
24 International is normally disposed of in a landfill. The  
25 Loan Committee approved the loan on February 2, 2006.

1           Staff recommends that the Board approve Option  
2   Number 1 and adopt Resolution Number 2006-35 to approve  
3   the RMDZ loan to Simba International in the amount of  
4   101,250. Mr. Asit Shah, President of Simba International,  
5   is present here today to answer any questions that the  
6   Committee may have regarding the proposed item. Thank  
7   you. We did make a site visit yesterday.

8           CHAIRPERSON PETERSEN: You went and had a site  
9   visit yesterday, great.

10          MR. SHAH: My name is Asit Shah. If you have any  
11   questions, I can answer.

12          CHAIRPERSON PETERSEN: Well, yes. You're going  
13   to -- this is a shredding creating flake you're going to  
14   be doing?

15          MR. SHAH: Yes. At least about two to three  
16   sizes and two to three inches per size.

17          CHAIRPERSON PETERSEN: What type of plastics are  
18   you running through the system?

19          MR. SHAH: At the moment we run polyethylene,  
20   polycarbon, polystyrene, all different types of plastics.

21          CHAIRPERSON PETERSEN: A lot of pre-consumer  
22   stuff?

23          MR. SHAH: Pre-consumer and post-industrial  
24   materials from manufacturing companies.

25          CHAIRPERSON PETERSEN: And the shredder is



1 101,000?

2 MR. SHAH: Yes, it is. And it will improve our  
3 efficiency, and also we can recycle a lot more product.  
4 The primary reason for the shredder is to recycle plastic  
5 pellets and 55 barrel drums and also work with the local  
6 cities where they have those -- you know the trash can  
7 providers which you have in your city for homes, the 100  
8 gallon?

9 CHAIRPERSON PETERSEN: Right. The curbside  
10 collection.

11 MR. SHAH: The curbside collection bins, that's  
12 one of the reasons what we'd like to do.

13 CHAIRPERSON PETERSEN: This is great. Okay.

14 MR. SHAH: In San Diego County.

15 CHAIRPERSON PETERSEN: Making money in the  
16 plastics business is tough. I know that. Good for you.

17 Any other comments, by the way, or any questions?

18 Thank you very much.

19 Do we hear a motion?

20 COMMITTEE MEMBER PEACE: I'd like to move  
21 Resolution 2006-35.

22 COMMITTEE MEMBER WIGGINS: Second.

23 CHAIRPERSON PETERSEN: Deb, call the roll.

24 EXECUTIVE ASSISTANT BALLUCH: Peace?

25 COMMITTEE MEMBER PEACE: Aye.

1 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

2 COMMITTEE MEMBER WIGGINS: Aye.

3 EXECUTIVE ASSISTANT BALLUCH: Petersen?

4 CHAIRPERSON PETERSEN: Aye.

5 And that's for fiscal consent.

6 ACTING DEPUTY DIRECTOR FRIEDMAN: J is  
7 Consideration of Awards for the Reuse Assistance Grant  
8 Program is Fiscal Year 2005-2006 Integrated Waste  
9 Management Account. And Kevin Taylor will be making the  
10 presentation for staff.

11 (Thereupon an overhead presentation was  
12 presented as follows.)

13 SUPERVISOR TAYLOR: Good morning. Kevin Taylor.

14 I'd like to present a short slide show for the  
15 Board members to help familiarize them with this program  
16 since we have several new Board members. And I'd also  
17 like to recognize Sarah Weimer who's not here today.  
18 She's the staff person who basically got this program up  
19 and running and running for five years doing a wonderful  
20 job, and she left state service last month. So I'm left  
21 to do the presentation.

22 And just a comment about reuse. Reuse is part of  
23 source reduction, and it's the highest level in the AB 939  
24 hierarchy. And frankly there are few Board programs that  
25 really specifically promote and support using potential

1 waste. And through our Reuse Assistance Grants, an  
2 estimated 46,000 tons of materials are diverted annually.  
3 The Board has allocated \$250,000 for each offering,  
4 resulting in an average of about 225 pounds diverted for  
5 each dollar spent by the Board. I think that's pretty  
6 good. The projects funded are ongoing so they continue to  
7 divert materials from landfills after the funds are spent,  
8 and this program is truly a positive for the Board.

9 --o0o--

10 SUPERVISOR TAYLOR: Local governments  
11 eligibility. Local governments have the responsibility,  
12 so they are eligible for these grants. And they are  
13 encouraged to have partnerships with other nonprofits or  
14 businesses, but a local government has to be the one to  
15 apply for the grant. And the Board criteria.

16 --o0o--

17 SUPERVISOR TAYLOR: So the Board approves scoring  
18 criteria in June of 2005.

19 --o0o--

20 SUPERVISOR TAYLOR: A definition of reuse. Reuse  
21 is defined as using a material over again in its current  
22 form without any significant processing that alters its  
23 material structure. Examples that would be using lumber  
24 as lumber, not milling it into something else, or food as  
25 food rather than composting it or animal feed. And these

1 are RAGS grants that focus on reuse rather than those  
2 recycling projects.

3 --o0o--

4 SUPERVISOR TAYLOR: And this is just an example  
5 of some of the projects we've had over time. Early on  
6 there were quite a few projects for reuse programs,  
7 materials exchange programs. Lately we've seen more with  
8 construction/demolition, reuse stores, and food programs.  
9 If you're interested in the different types of programs,  
10 it's all on the web, or we can provide that information  
11 for you at another time.

12 --o0o--

13 SUPERVISOR TAYLOR: So far the Board has provided  
14 almost 1.5 million in the times that we've had these  
15 grants. And over 4 million have been provided by the  
16 grantees' in-kind funds. So I think the important thing  
17 to note here is these grant projects are often part of a  
18 larger project that these jurisdictions are working on.  
19 And the idea is a little bit of money from the Board goes  
20 a long way, especially with these matching funds.

21 --o0o--

22 SUPERVISOR TAYLOR: Some results, so far 36  
23 projects have been awarded. And all are well established  
24 and enduring. And I think one of the things we're looking  
25 at is diverting key priority materials, and that's why

1 I've recently seen more with e-waste,  
2 construction/demolition, and food trying to focus in on  
3 those types of materials.

4 --o0o--

5 SUPERVISOR TAYLOR: There are numerous measures  
6 that we look at, and these are in the criteria, not just  
7 only on tons diverted, but dollars saved, jobs created,  
8 people served, and education as well. And by any measure,  
9 it's clear these grant funds have been well spent by the  
10 Board, at least we believe so. And as I've mentioned  
11 before, for every dollar spent by the Board, about 225  
12 pounds are being diverted.

13 --o0o--

14 SUPERVISOR TAYLOR: Getting into the 2005-2006  
15 grant application, where we are right now. This is a  
16 little bit about the process. The grants unit conducted  
17 initial completeness review of each application, and we  
18 have a scoring panel comprised of three Board staff and  
19 evaluate the complete and eligible applications only. And  
20 each panel member reviews them and scores them separately.  
21 And then the panels convey and meet as a group to discuss  
22 and evaluate each application and calculate it as a group,  
23 the score for each application.

24 --o0o--

25 SUPERVISOR TAYLOR: There are twelve complete and

1 eligible applications, and requests totaled almost  
2 500,000. In fact, over the term of these grants, over \$5  
3 million have been requested by grantees. So there's  
4 definitely a need out there. Five recommended, three in  
5 the south, two in the north, totaling \$249,700. And this  
6 criteria on the north/south was required by the Board in  
7 our criteria that was changed back in June.

8 --o0o--

9 SUPERVISOR TAYLOR: This is a little hard to  
10 read. These are the five grantees that we are  
11 recommending. If you'd like, I can go over a little bit  
12 on each one. It's in the packet, if you'd like me to talk  
13 a little bit about it. The information on each grantee  
14 was in the packet, but I can give you a little information  
15 if you want to just continue on.

16 CHAIRPERSON PETERSEN: What's the pleasure of the  
17 Committee?

18 COMMITTEE MEMBER PEACE: I think we can just  
19 continue on. I'm aware there are some great projects  
20 here.

21 The only question I had, on the website we have,  
22 are these listed or anything? Some of these are real  
23 success stories.

24 SUPERVISOR TAYLOR: There's information on each  
25 one.

1 COMMITTEE MEMBER PEACE: If a jurisdiction wanted  
2 to try something like this, is there information on the  
3 website, oh, gosh, we never thought of that, or let's try  
4 this.

5 SUPERVISOR TAYLOR: It's not in extreme detail,  
6 but it tells which projects we were working on, what  
7 they've done, how much they've diverted, and a little bit  
8 about each project.

9 --o0o--

10 SUPERVISOR TAYLOR: As well as the recommended,  
11 we do have those other jurisdictions or projects that have  
12 passing applications. And if something happens to one of  
13 the other ones, which they can't use the money, we try to  
14 bring it to the next jurisdiction project so they can  
15 receive those funds.

16 --o0o--

17 SUPERVISOR TAYLOR: Options for the Board. Two  
18 options: We recommend that the Board approve Option 1,  
19 which is to approve the proposed awards and adopt  
20 Resolution Number 2006-39 to award the top ranking  
21 applicants and direct staff to enter into grant agreements  
22 with applicants for the fiscal year 2005-2006, offering of  
23 Reuse Assistance Grants in order of ranking until fiscal  
24 year 2005-2006 allocated funds are exhausted.  
25 Recommendation of the Board.

1           CHAIRPERSON PETERSEN:   Okay.   Judy.

2           ACTING DEPUTY DIRECTOR FRIEDMAN:   This concludes  
3 staff presentation, and that is the recommendation of  
4 staff, is to approve the proposed awards in the  
5 Resolution.

6           CHAIRPERSON PETERSEN:   Any questions, comments?

7           COMMITTEE MEMBER WIGGINS:   I'd like to move.

8           COMMITTEE MEMBER PEACE:   I just have one quick  
9 comment.   I know the scoring criteria has already been  
10 passed last June, so we're not discussing that, even  
11 though the scoring criteria was passed for 05-06 and  
12 06-07.

13           But looking at the scoring criteria, again we  
14 have 15 points there for evidence of recycled content  
15 purchasing policy.   And I know I brought it up over and  
16 over again where it should be an eligibility requirement,  
17 not a part of the scoring criteria, especially in a  
18 program such as this that's competitive, that's  
19 oversubscribed.

20           I know we brought up that our Grants Oversight  
21 Committee is going to be bringing some item forward to  
22 discuss that more, but I've heard that before.   It seems  
23 like it's taking an awful long time for that to come  
24 forward to discuss.   And I'm looking forward to that.   But  
25 in the case that we don't get to it, is there a way we can



1 bring back the scoring criteria on this one next June? Is  
2 that when we need to look at it again?

3 SUPERVISOR TAYLOR: As you mentioned, the  
4 criteria was for this one and for the next offering. The  
5 next offering hasn't gone out yet. We haven't sent any  
6 information out, so I guess they --

7 COMMITTEE MEMBER PEACE: Is there any way that we  
8 can look at that again even though we --

9 CHIEF DEPUTY DIRECTOR NAUMAN: Yes. This is  
10 Julie Nauman, Chief Deputy Director. We can look at that  
11 again.

12 COMMITTEE MEMBER PEACE: We do have our Grants  
13 Oversight Committee coming up with their recommendation.  
14 We discuss if the Board decides, yes, let's make some of  
15 these eligibility requirements versus scoring criteria,  
16 would that then automatically change?

17 CHIEF DEPUTY DIRECTOR NAUMAN: I think you would  
18 have to specifically change it as we're discussing the  
19 item with the Board after GEOC looks at it. And we can  
20 probably reschedule an item, because our discussion with  
21 you would be general. And then you'd have to take a  
22 specific motion to change the criteria for the Reuse  
23 Program, because you already approved it.

24 But let me back up a little bit and recall for  
25 the benefit of the Committee members that last month the

1 GOEC came back and reported to the Board on the work we  
2 have done on streamlining all grant programs. In the  
3 context of that item, we did mention a number of policy  
4 items that we plan to take up in coming months.

5 And among those was the issue of the recycled  
6 content requirement. And we plan to look at that across  
7 the board and in great detail, not just the question of  
8 eligibility versus grant criteria. The GEOC met shortly  
9 after the last Board meeting, and we put together a  
10 schedule. And we plan to be back to the Board well in  
11 advance of June so you can review that item, so it's on  
12 the top of our list.

13 COMMITTEE MEMBER PEACE: That would be great,  
14 because all these deal with reuse and recycling. It just  
15 makes more sense to me that there's 15 points we put in  
16 the work plan -- points be distributed between the work  
17 plan evaluation and budget, rather than 15 points for  
18 evidence of recycled content procurement policy.

19 CHAIRPERSON PETERSEN: I think it's a good idea,  
20 too. Yes.

21 STAFF COUNSEL ARMSTRONG: This is Holly Armstrong  
22 from the Legal Office.

23 It would have to be brought back before the  
24 Board, and a new scoring criteria would have to be  
25 adopted. So there would have to be another agenda item.

1           COMMITTEE MEMBER PEACE: So if by chance we don't  
2 bring this up, it's not discussed before June, could we  
3 ask that this item then be back to see if we want to  
4 change this program in the eligibility? I hope that we  
5 get to discuss it before June.

6           CHIEF DEPUTY DIRECTOR NAUMAN: We'll make sure  
7 you do.

8           ACTING DEPUTY DIRECTOR FRIEDMAN: Chairperson  
9 Petersen, I just want to make one comment.

10           The reason we had gone to recommending a two-year  
11 adoption of the criteria when we did that was because we  
12 were switching over the timing of the cycle so that we  
13 could do that, let all potential, you know, participants  
14 know in advance what the criteria was going to be so that  
15 we would, you know, up front of the budget cycle be able  
16 to get the word out about the cycle. So that was the  
17 reason why we went to a two-year approval on that  
18 criteria.

19           So if we came back -- I mean, we can do it. We  
20 can come back with another set of criteria, but it might  
21 cause a problem with our switching over our cycle to more  
22 of an up-front process that we were trying to do so we can  
23 get the word out about the cycle in advance. And we  
24 wouldn't be at the tail end of the fiscal year which  
25 causes a problem if one of the grantees can't fulfill the

1 grant, and we want to switch to the next one in line. It  
2 causes a problem because we run out of time with the  
3 fiscal year considerations. And we aren't able then to  
4 re-encumber the funds. That's why we went to the  
5 two year. From that point on, we were going to go back to  
6 an annual criteria cycle. But we're sort of halfway  
7 through that, so that might cause a problem.

8 COMMITTEE MEMBER PEACE: I sure don't want to  
9 cause problems for anybody.

10 CHAIRPERSON PETERSEN: No. We don't want that.

11 COMMITTEE MEMBER PEACE: Wouldn't you say most of  
12 the people applying for these do have a recycled content  
13 procurement policy in place?

14 ACTING DEPUTY DIRECTOR FRIEDMAN: We have not had  
15 a problem with this policy. It hasn't caused a problem  
16 with, you know, either the grant scoring or any of the  
17 applications that have come in for the reuse grants.  
18 They've all, you know, had policies. They've all met the  
19 consideration. They don't find it difficult to comply  
20 with it, at least that's been our experience. So, you  
21 know, whether it's up front or whether here, I don't think  
22 for these particular applicants it's not causing --

23 COMMITTEE MEMBER PEACE: Like I said, they're all  
24 going to qualify one -- whether it's a scoring criteria or  
25 eligibility requirement. It seems to me those points

1 would be better used for, you know, that project itself --

2           ACTING DEPUTY DIRECTOR FRIEDMAN: I'm not  
3 debating that. I'm saying at the time we were doing these  
4 criteria, that decision wasn't made.

5           COMMITTEE MEMBER PEACE: I sure don't want to  
6 cause any --

7           CHAIRPERSON PETERSEN: I have a question. This  
8 is a huge deal, because it's a big bang for the buck in  
9 what we're doing. On programs like L.A. Shares and what  
10 they've done, it's now a national model. I have a  
11 question. Is there any place within the budget or any  
12 place else we can get more money to expand this program?  
13 Sorry, Mark.

14           EXECUTIVE DIRECTOR LEARY: There are a number of  
15 options. Certainly, if that's the Board direction, we can  
16 certainly explore creating freeing up more money for this  
17 program. It may mean subtracting elsewhere, or it may  
18 mean seeking additional expenditure authority through the  
19 budget process.

20           But it gets back to the whole conversation about  
21 priorities and what we value the most through the  
22 activities of our organization. And if that's ultimately  
23 the direction of the Board, we can go there, certainly.

24           CHAIRPERSON PETERSEN: Great.

25           With that, do we have a motion?

1 COMMITTEE MEMBER WIGGINS: Since I live in Somona  
2 County, I'd like to move the motion. So I move adoption  
3 of Resolution 2006-39.

4 COMMITTEE MEMBER PEACE: Second.

5 CHAIRPERSON PETERSEN: Deb, call the roll.

6 EXECUTIVE ASSISTANT BALLUCH: Peace?

7 COMMITTEE MEMBER PEACE: Aye.

8 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

9 COMMITTEE MEMBER WIGGINS: Aye.

10 EXECUTIVE ASSISTANT BALLUCH: Petersen?

11 CHAIRPERSON PETERSEN: Aye.

12 And this goes on fiscal consent.

13 It's getting pretty close to lunch, everybody.

14 What is the pleasure of the Committee? What would they  
15 like to do as far as lunch and a break?

16 COMMITTEE MEMBER WIGGINS: Can we have our lunch  
17 at the table here?

18 COMMITTEE MEMBER PEACE: I think we at least need  
19 a break. Do you want to have a quick lunch?

20 CHAIRPERSON PETERSEN: What, 30 minutes? Pat?  
21 Why don't we take a 30-minute break, and 12:35. Let's do  
22 that. Well, 12:30. Okay. Thank you.

23 (Thereupon a lunch recess was taken.)

24 CHAIRPERSON PETERSEN: We'd like to get started  
25 again. We're back in session. I guess we're at Item K,

1 correct?

2           ACTING DEPUTY DIRECTOR FRIEDMAN: K is Discussion  
3 and Request for Rulemaking Direction to Formally Notice  
4 45-Day Comment Period for Permanent E-Waste Regulations.  
5 Shirley Willd-Wagner, Jeff Hunts, and Bob Conheim will be  
6 making the presentation for staff.

7           ACTING DIRECTOR WILLD-WAGNER: Good morning. I  
8 know it's good afternoon. I'm Shirley Willd-Wagner. Good  
9 morning, Chair Petersen and Committee members. We're  
10 looking for our Power Point.

11           (Thereupon an overhead presentation was  
12 presented as follows.)

13           ACTING DIRECTOR WILLD-WAGNER: As Judy said --  
14 I'll move ahead -- the purpose of today's item is to  
15 request rulemaking direction from the Committee to move  
16 forward with formally noticing the 45-day comment period  
17 for the regulations to implement the Electronic Waste  
18 Recycling Act. Upon Committee approval, we would then  
19 file the regulations with the Office of Administrative Law  
20 which will initiate the formal rulemaking process and  
21 begin the stakeholder comment period.

22                               --o0o--

23           ACTING DIRECTOR WILLD-WAGNER: So quick update on  
24 the backgrounds of the numbers. As of today, we have 345  
25 approved collectors in the system and 41 recyclers. \$25.5

1 million has been claimed to us by recyclers to cover their  
2 costs of recycling and collecting electronic waste. That  
3 represents about 53.1 million pounds. We've processed and  
4 approved for payment \$15.3 million, which represents that  
5 we're running still at about 93 percent of the claims that  
6 have been submitted, we're being able to approve. We're  
7 only adjusting out about 7 percent.

8 --o0o--

9 ACTING DIRECTOR WILL D-WAGNER: So we say today is  
10 to start and kick off the process. But this is, as you  
11 probably know, we've been working on this issue for over  
12 two years and working closely with our stakeholders.

13 The law was signed back in 2003, late 2003, by  
14 then Governor Davis. And we've actually had three  
15 different packages of emergency regulations going forward  
16 and have been approved by the Office of Administrative  
17 Law. I counted them up this morning. We've had 19  
18 stakeholder workshops during the two-plus years. So we've  
19 really needed every one of them I thought, too. Every  
20 time we've learned something new from the stakeholders.  
21 They've learned from the each other. And we've been able  
22 to shape the program to best meet the  
23 needs of California.

24 In moving forward, we are now -- up there we have  
25 October. We signed the law as I said -- our first package



1 of emergency regulations was in April of 2004. But then  
2 along came Senate Bill 50, and really kind of rocked our  
3 world, changed what we had developed in regulations. So  
4 we will to do some pretty significant revisions to the  
5 regulations. And we got those approved through the Board  
6 and the Office of Administrative Law in December of 2004.  
7 Then January 1st came and all program activities started.

8 --o0o--

9 ACTING DIRECTOR WILL D-WAGNER: You and I and  
10 everybody else started paying \$6 and \$8 on covered  
11 devices. And also we began accepting claims from approved  
12 recyclers for their activities.

13 Then in August of last year, we started in on the  
14 formal rulemaking process. We do have only two years of  
15 authority to operate under existing emergency regulations.  
16 So we're looking at December of 2006 we need to have these  
17 fully developed.

18 So in August of last year, we thought it was time  
19 to kick off the initial formal period. However, we did  
20 find at that time stakeholders identified, and we agreed,  
21 there was several urgent issues that needed to be  
22 addressed in the immediate future, rather than waiting for  
23 the formal process. So we made some additional revisions  
24 to the emergency regulations. We came to the Committee in  
25 September and October to discuss options. And then in

1 November, the Board approved the revisions to the  
2 emergency regulations. And December 5th, OAL approved  
3 those emergency regulations.

4 --o0o--

5 ACTING DIRECTOR WILLD-WAGNER: So now the road to  
6 final regs, kicking off the 2006 time line. This is the  
7 slide you kept getting to.

8 January 5th we held a public stakeholder workshop  
9 where we had tremendous input from everyone. We actually  
10 broke into different sub-groups at that workshop and got  
11 some very good input from stakeholders in the various  
12 topic areas.

13 February 7th, today is the Committee meeting. So  
14 you will note between January 5th and February 1st --  
15 January 31st when we actually published the regulations up  
16 on our website, very little time. So we didn't get the  
17 actual regulatory language posted on the website until a  
18 week ago today. There just has been very little time in  
19 there. But we need to move forward as you'll see, because  
20 in March we hope to have the full package to OAL and have  
21 approval to notice the 45-day period, which would mean in  
22 May we have the workshop after the 45-day comment period.  
23 And in July, we would bring forth to the Committee the --

24 --o0o--

25 ACTING DIRECTOR WILLD-WAGNER: -- proposed

1 regulations. And if we're ready then to adopt the  
2 regulations, we would do so. We do have August as a  
3 cushion month. But September is a key month. We really  
4 need to get the regulations over to the Office of  
5 Administrative Law, because December 13th they expire.  
6 The program will stop. Recyclers don't want that. Nobody  
7 wants that.

8           So Mr. Conheim, our Senior Staff Counsel, can  
9 answer any more questions on that regulatory issue  
10 process. And Jeff Hunts will now discuss some of the  
11 issues in the specific regulatory issues that we're  
12 proposing.

13                               --o0o--

14           SUPERVISOR HUNTS: Thank you, Shirley. My name  
15 is Jeff Hunts. I'm a Supervisor with the Electronic Waste  
16 Recycling Program. And as Shirley clearly pointed out,  
17 while this is the beginning of the formal process, this is  
18 by no means the beginning of the program. We've been  
19 working with the law, with our stakeholders operating the  
20 program for quite a while now. Because of that, we use as  
21 a starting point the existing emergency regulations. And  
22 the attachment to your item portrays the existing  
23 emergency regulations, and then shows in ~~strikeout~~, but  
24 mainly in underlined additions, the proposed changes that  
25 would be the proposed final regulations.

1           Program considered input from stakeholders over  
2 the many workshops we've had and ongoing communication,  
3 and we also applied our own experience in operating the  
4 program over the first year.

5           The proposal we've put forward operates within  
6 our capabilities. And what I mean by that is within our  
7 existing staffing levels, within our existing  
8 technological levels, and within our statutory authority.  
9 As you know, we share administrative responsibilities of  
10 this program with the Department of Toxic Substances  
11 Control, and we have our role and they have their role.

12                               --o0o--

13           SUPERVISOR HUNTS: So to get into the additions,  
14 changes, we've refined or added several definitions. And  
15 those are mainly in support of the additions to the body  
16 of the regulations. There are some clarifications.  
17 There's some what I would consider or portray as summary  
18 concepts, items like source documentation, transfer  
19 documentation, processing documentation, that apply to  
20 different steps in the management of covered electronic  
21 waste as it flows through this payment system.

22           We are proposing to expand access for covered  
23 electronic waste. As some of you remember, and I'm happy  
24 to recap, through the regulatory revision exercise we went  
25 through in the last couple months, we introduced a concept

1 called source anonymous covered electronic waste.

2           The idea there is that it acknowledges the  
3 reality that there are covered electronic wastes in  
4 California that are more than likely from Californians or  
5 from California sources, but have been separated from the  
6 source identity of that material. So by source anonymous,  
7 we can allow these materials in under certain  
8 circumstances. We're proposing to expand the instance of  
9 source anonymous covered electronic waste that occurs from  
10 illegal disposal at approved collectors' facilities to  
11 come into the system. Previously, that was reserved for  
12 just nonprofit collectors.

13           Net cost reporting flexibility after 2007. We  
14 are anxiously awaiting the first round of net cost reports  
15 from our participants due March 1st of '06 to cover costs  
16 incurred over '05. The proposed regs require another  
17 report in March of 2007 after which subsequent reports  
18 would be required only upon action of the Board and based  
19 on the need for that information. And the Board uses the  
20 net cost information to establish the payment rate, the  
21 payment schedule, the recovery and recycling payments.

22           Manufacturer reports. Within the manufacturer  
23 reporting responsibility area of the statute,  
24 manufacturers are required to report to the state on sales  
25 of covered devices. Program is proposing to remove the

1 requirement to break those sales down by screen size,  
2 maintaining the requirement that manufacturers report by  
3 product category. That would be CRT devices, LCD devices,  
4 gas plasma devices, et cetera, but not the screen size  
5 which is information we could get from the Board of  
6 Equalization if we wanted it.

7 --o0o--

8 SUPERVISOR HUNTS: All the material coming into  
9 the system comes in through an approved collector. And a  
10 collector has certain responsibilities. Through the  
11 proposed regulations, we are suggesting that all  
12 collectors in the system maintain a California location  
13 for the handling of covered electronic waste and to  
14 maintain records required by the program. Prior to this,  
15 there was not a requirement that a collector actually  
16 maintain a physical location in California. And this has  
17 led to the rare instance where participating collectors,  
18 their only presence in California was in a truck as they  
19 drove into the state and back out of the state.

20 Improved intake documentation on five or more  
21 devices received from non-residential sources. Currently,  
22 all the default source documentation requirement is the  
23 name and address of the California source. Program is  
24 proposing that a collector receiving five or more devices  
25 from a non-residential source include the name, the

1 address, a contact person, and a phone number of the  
2 source since the source can be institutions, businesses,  
3 governments, et cetera.

4 Proposing a requirement to maintain inventory  
5 records that would clearly demonstrate the flow of  
6 materials through an enterprise where the source of  
7 materials, how those devices were handled, and when they  
8 left the collectors' facilities.

9 We point out repeatedly in the regulations that  
10 an approved collector is only entitled to payment for  
11 properly documented covered electronic waste. Prior to  
12 this, the regulations, it seemed to indicate that a  
13 collector was entitled to recovery payments for all CEWs  
14 transferred to a recycler. Want to make it clear they're  
15 only entitled to payment for those that are properly  
16 documented.

17 And the Board previously had the option of  
18 revoking an approval or denying renewal of an approval.  
19 We are proposing that we add an option to suspend approval  
20 for certain types of prohibited activities.

21 --o0o--

22 SUPERVISOR HUNTS: Moving on to recycler  
23 accountability. Recyclers are the entities that cancel or  
24 process the device. We are proposing that all recyclers  
25 in the system be certified weigh masters and issue

1 certified weights since it is the weight of canceled  
2 devices that the Board makes payment on. That the  
3 recycler, too, have inventory records that clearly  
4 demonstrate the relationship between material received and  
5 the material processed.

6           The next item specified treatment residual  
7 shipments. Way back when when the program first began,  
8 the initial emergency regulations proposed that the Board  
9 pay on the weight of glass shipped, CRT glass shipped, and  
10 apply a conversion factor to establish the payment level.  
11 SB 20 changed that, the Board would pay on the entire  
12 weight of electronic waste canceled.

13           The regulations in reconciling that situation,  
14 the entire weight along with the residual shipment, the  
15 residual here being the CRT glass, led to the circumstance  
16 where a recycler could process materials, cancel those  
17 materials, and then ship only some of the glass and make  
18 claim for all of the material canceled, leading to the  
19 possibility of stockpiled glass as a hazardous material,  
20 exposes the state to liability, and we want to pay only  
21 when the job is done.

22           Existing emergency regs establish a 60-day limit  
23 within which recyclers shall make recovery payments to  
24 collectors. We're proposing that be extended to 90 days.  
25 The fact of the matter is that many recyclers are making



1 payments to collectors within a few days of receiving  
2 materials once they've checked out the documentation. But  
3 we recognize that the 60-day limit was structurally flawed  
4 in that by the time a recycler canceled and claimed and  
5 then received payment from the state, it was well beyond  
6 the 60 days.

7 And likewise here, we want to establish the  
8 option for the Board to suspend an approval for a minor  
9 infraction.

10 --o0o--

11 SUPERVISOR HUNTS: The payment rate, which the  
12 net cost information goes to establish, helps establish,  
13 is currently set in an odd mixture of statutes and  
14 regulation. Recycling payment rate of 28 cents is  
15 currently established in statute. The 20 cent recovery  
16 payment rate and a 48 cent combined rate is established in  
17 regs.

18 This package proposed to remove that  
19 establishment out of regulation -- or rather the renewal  
20 or revision out of regulation provides a framework for  
21 setting that rate. We would operate pursuant to statutory  
22 provisions. Set an initial rate of 28 cents per pound,  
23 but then subsequent rate changes based on a calendar  
24 provided in statute would occur at a meeting of the Board,  
25 a public meeting. This would allow us to not have to go

1 through a rulemaking process every time we needed to  
2 adjust the rate.

3 --o0o--

4 SUPERVISOR HUNTS: We do acknowledge there are a  
5 couple typos in the proposed new language, past tense or a  
6 plural I think in three places or transposed word, as well  
7 as Bob and I talked about these regs there may be an  
8 ineloquent phrase or two. We would propose to fix the  
9 typos before we go to notice. And if we change the actual  
10 wording of any provision, that that would be done within  
11 the 45-day comment and revision portion of this exercise.

12 So if there are any questions, we'd be happy to  
13 answer them.

14 CHAIRPERSON PETERSEN: Any questions?

15 COMMITTEE MEMBER WIGGINS: Has this gone before  
16 the administrative law review -- or what is it?

17 SUPERVISOR HUNTS: The Office of Administrative  
18 Law.

19 COMMITTEE MEMBER WIGGINS: Yeah. Have they  
20 reviewed the proposed regulations?

21 STAFF COUNSEL CONHEIM: Board Member Wiggins, I'm  
22 Bob Conheim from the Legal Office. We have adopted  
23 emergency regulations three times in this program, and  
24 they have been reviewed as emergency regulations by the  
25 Office of Administrative Law three times.

1           The purpose of this proceeding today is to begin  
2 the formal process by which we make these regulations  
3 permanent. The first thing that will happen if the Chair  
4 gives us direction to formally notice is to submit  
5 required paperwork to the Office of Administrative Law,  
6 and they will publish the notice. It's not their time to  
7 review and approve these regulations. They've already  
8 done that three times as emergency regulations.

9 Ultimately when the notice period is done and the public  
10 comments are in on this version of the regulations, the  
11 Office of Administrative Law will thoroughly review them.

12           COMMITTEE MEMBER WIGGINS: Okay.

13           CHAIRPERSON PETERSEN: Okay. I'd like to make a  
14 statement here, because I'm going to back up what Bob just  
15 said.

16           The purpose of the item today is to kick off the  
17 administrative process for permanent regulations for the  
18 E-Waste Program. Staff is seeking direction to simply  
19 start what the law calls a formal rulemaking process. No  
20 decisions will be made today on the content of the  
21 regulations. Staff has presented almost as an  
22 informational item the package of regulations in which it  
23 wants to publish a notice that the formal rulemaking  
24 process will begin; correct?

25           There will be plenty of time in the near future

1 to structure the process in which to comment and discuss  
2 specific regulatory language. This is not the purpose of  
3 today's meeting. I'm not attempting to dissuade anybody  
4 and prevent making suggestions in a general sense. Those  
5 observations -- I welcome that. Okay.

6 After the notice is published, as they said,  
7 45-day comment period lapses. Staff must then consider  
8 all written comments received and make proposed changes to  
9 the text proposed today. The Committee and Board will  
10 then consider any revised regulatory language at public  
11 meetings before adopting the permanent regulations.

12 STAFF COUNSEL CONHEIM: Thank you, Mr. Chairman.

13 CHAIRPERSON PETERSEN: Thank you. Okay. Great.

14 All right. We have some speakers. Leonard Lang.

15 MR. LANG: Mr. Chair, Board members, I thank you  
16 for the opportunity to speak to the importance of the  
17 rulemaking function here today. I have 25 years  
18 experience in the recycling industry. I have managed a  
19 CRV program for California's largest CRV recycler. I have  
20 run a material recoveries facility. And I have a lot of  
21 legislative and regulatory experience to understand the  
22 background of what it takes for this E-Waste Program.

23 I work for Allan Company. Allan Company is  
24 eleven collectors in this program, one of the country's  
25 largest and one of the state's largest recyclers. We

1 service the public. We service businesses. We service  
2 cities. We operate MRFs and process curbside materials  
3 for cities like San Diego and through affiliate cities  
4 like Los Angeles.

5           We understand what it takes to recycle in volume,  
6 and that's what we address, recycling in volume. So when  
7 I look at this program, I think, what does it take to  
8 recycle this material in volume? I start by looking at  
9 some of the legislation itself and the goals of the  
10 legislation, things like focus on cost free and  
11 convenience. Purpose is to provide funding for safe,  
12 cost-free convenient collection of recycling and  
13 100 percent of the covered electronic waste in this state.  
14 And it is up to the Board to establish recycling goals for  
15 this program. So if we are to do this in volume  
16 necessary, our regulations need to fit real world  
17 experiences that we face out there.

18           And I have submitted comments. Let me tell you  
19 this staff has been a pleasure to work with. They have a  
20 monumental task of implementing a program like this from  
21 nothing. And they've done a good job of it.

22           But now as we address permanent regulations, I  
23 come from a background of dealing with the Bottle Bill for  
24 many years, and it's a very similar program, very similar  
25 fund. So I have a framework that I look at that is not

1 what these people are familiar with. But I see that it  
2 has many, many applications; its importance in dealing  
3 with fraud and keeping things simple and keeping costs  
4 down for California businesses. So I have this ability to  
5 look at this from all aspects.

6 And anybody familiar with the Bottle Bill has to  
7 be aware that in the beginning that was probably the  
8 lobbyists full employment act. There were many more  
9 stakeholders it seemed in that program than this program.

10 But when I look at this program, I look at we  
11 need to take care of everybody's interests, whether it  
12 starts with the manufacturers, the collectors, the  
13 recyclers, the environmentalists. It's basically four  
14 groups that we need to address.

15 So I look at all this and I say, these  
16 regulations need to fit real world. And what I've seen so  
17 far is that we're tinkering. We're not addressing  
18 structure. So I'm here to say to you today I would like  
19 you to be considering structure as we go forth in the  
20 permanent regulations here.

21 One of my pet peeves has been the definition of  
22 California sources. California sources are everything  
23 that we're supposed to be dealing with. Well, the  
24 definition excludes California sources. So I struggle  
25 with that. Why would we exclude California sources when

1 we're intended to deal with California sources by the  
2 legislation?

3           There's a new definition that came along in  
4 December called proof of designation. This is still a  
5 burdensome and difficult regulation to deal with, and I  
6 still think it conflicts with the goals of the program.  
7 We have source anonymous. But as of yet, it still doesn't  
8 deal with all of our real world situations of abandoned  
9 and curbside sources.

10           As I mentioned, we're eleven collectors. We have  
11 four other affiliated companies that are also collectors.  
12 That's a total of 15 out of this program. And the process  
13 of billing to the state is not efficient. And that's why  
14 I say, if you look to the Bottle Bill as a structure, we  
15 bill in summary. Now the burden is on auditing and  
16 investigation to make sure that everything is handled  
17 properly and there is no fraud in this program. And I  
18 consider that paramount in all of my thinking here. But  
19 right now as we have seen it, it's invited underground  
20 regulation. That's where people are deciding what's  
21 supposed to be in the law when it's not in the law.

22           It is the collector's responsibility to prevent  
23 CEWs from being dropped off anonymously or illegally  
24 disposed of. This is an example when I used to teach  
25 management and you establish a goal, you have to have

1 control over this. Well, if somebody is just dropping off  
2 things illegally, we don't have control over that. That's  
3 an example of a reg that I think, you know, doesn't apply.  
4 And we've talked about in new regs source anonymous is to  
5 be logged separately. This to me would imply like a  
6 separate set of books. It doesn't recognize the flow of  
7 material through a collectors or a recycling plant as well  
8 as the recycler's operation. So I would ask you to look  
9 at things like that.

10 Recycling payments may be adjusted or denied.  
11 And there's only due process for the recycler. There is  
12 no due process for the collector. For example, at one of  
13 our three locations in San Diego, we received some stuff  
14 from the city of San Diego that had been abandoned on the  
15 streets. And we were denied payment on that, because we  
16 had no information on it. Yet, it clearly seemed to be  
17 what was intended to keep this stuff out of the landfill.

18 We were not able to contest the denial of  
19 payment. Only the recycler can do that. We're not the  
20 recycler. We're the collector. I think the collector  
21 needs that ability, as in the Bottle Bill program.

22 This tends to make the recycler a cop, judge, and  
23 jury. And this is where you tend to find some  
24 implementation of underground regulation at an entity  
25 that's not within the government.



1           So in my proposals to staff, I have emphasized  
2   audit and review. I believe it's the only way to let  
3   business do what it does best and to prevent fraud in this  
4   program. As I go around and talk to different  
5   organizations, I believe that it's starting to pop up. I  
6   thank you.

7           CHAIRPERSON PETERSEN: Thank you. Well, Leonard,  
8   you know as well as I do when we did AB 2020 we went  
9   through some growing pains, big ones. And we're going to  
10  do that here. And I think what you suggested -- and staff  
11  is -- they've been great. I've been briefed on this I  
12  don't know how many times. It's amazing. I'm still  
13  trying to figure it all out. I think what they've done is  
14  a great job. We welcome your input. Make sure you're in  
15  the fray in the next 45 days. That's how we did it  
16  before. You have to do it again.

17          MR. LANG: I'm aware.

18          CHAIRPERSON PETERSEN: Okay. Thank you, Leonard.

19          MR. LANG: With so many of you people new, I  
20  thought this was an opportunity to give an overview.

21          CHAIRPERSON PETERSEN: Any other comments or  
22  questions? Thanks, Leonard.

23          Next speaker, Katherine Brandenburg, please.

24          MS. BRANDENBURG: Good afternoon. I'd like to  
25  welcome Board Member Brown and Assemblywoman Wiggins to

1 the Board. There's a lot going on here, so good luck.

2 CHAIRPERSON PETERSEN: I think we all need luck.

3 MS. BRANDENBURG: Yes, we all do.

4 I would like to also thank staff for the  
5 tremendous work they have done on this program. It has  
6 been I think a very difficult task. There's so many  
7 different organizations and groups involved in this. I  
8 think they've done just a terrific job. All the  
9 stakeholder workshops that have been held I think have  
10 been very worthwhile, and I think the staff, and Shirley  
11 said, you know, we have all learned from the workshop.

12 A couple things that I would like to just mention  
13 about the regulations as I see them right now. We will be  
14 making additional comments. I think I didn't introduce  
15 myself. I represent the Institute of Scrap Recycling  
16 Industries. We're the old line recyclers. We process,  
17 broker, and ship scrap commodities. So that's the  
18 organization I represent.

19 A few things in the proposed regulations I think  
20 have been great. The source anonymous, we've had  
21 discussions with staff and with the Board and appreciate  
22 the changes that have been made. As Leonard did state,  
23 the definition of California sources I believe needs to be  
24 looked at and addressed. There's areas I think need  
25 improvement there.

1 I'd also like to look at the way payments are  
2 being made to recyclers and the type of forms -- the type  
3 of information that is given. I think at the last  
4 stakeholders workshop in January discussion was about how  
5 can we streamline this so, you know, the Board staff  
6 doesn't have to have boxes and boxes of documentation  
7 where we could have a summary. All the information could  
8 be held at the recycler's location or at the collectors.  
9 We've also talked about doing an online type of forum. So  
10 there's a variety of different things that have come out  
11 of the stakeholder workshops we'll continue to discuss  
12 with staff.

13 And I think that is about it on the discussions  
14 for today. I would like to see that the formal notice be  
15 given. I think it's something we really do need to start  
16 working on and get the process rolling. So I do recommend  
17 that. Thank you.

18 CHAIRPERSON PETERSEN: Thank you very much.

19 Evan Edgar, California Refuse Removal Council.

20 MR. EDGAR: Chairman and Board members, my name  
21 is Evan Edgar representing California Refuse Removal  
22 Council. We support Option Number 1. We need to get on  
23 with the program. I represent over 100 franchise haulers,  
24 60 recycling facilities, 50 transfer stations, 12  
25 landfills, and 25 of my franchise haulers are authorized

1 collectors under this program. We realize we have a lot  
2 to learn here and move forward on. But we need to move  
3 forward with Option 1 today, and we support the good work  
4 of staff.

5 CHAIRPERSON PETERSEN: Thanks, Evan.

6 Questions, comments?

7 Is there a motion?

8 COMMITTEE MEMBER PEACE: I just have one

9 question.

10 On page 3 where you said from the workshops there  
11 were some suggestions that staff received, are all these  
12 suggestions addressed in those proposed regs? Because I  
13 didn't find them all. Maybe I just missed them. Are some  
14 of them things that still need to be discussed in the  
15 45-day comment period? And which one of these are already  
16 in these proposed regs?

17 SUPERVISOR HUNTS: Over the last year, we've  
18 received a wide range of comments and suggestions, ideas,  
19 problems. What we put forward is staff's best thinking in  
20 balancing those. What we've received ranges from  
21 legislative concerns that we have no control over. We  
22 have other angles that come in from internal process. The  
23 Board should do more education and outreach, absolutely.  
24 But that's not a regulatory issue. We do have and would  
25 be happy to follow up with any Board member information

1 some background on the range of comments that we received  
2 and show you what we've decided works in this proposal and  
3 what may be is best left to another time. And we expect  
4 that through the formal process we will hear again if  
5 we've missed anything.

6 COMMITTEE MEMBER PEACE: So on page 3 where you  
7 say some of the suggestions received, those four bullets,  
8 those aren't all necessarily incorporated into these  
9 proposed regulations?

10 SUPERVISOR HUNTS: No, because this --

11 COMMITTEE MEMBER PEACE: They're to be  
12 discussed --

13 SUPERVISOR HUNTS: This is pre-formal --  
14 everything that's come before now has been factfinding.  
15 You could portray it that way. While the program has a  
16 spirit of responding to everything and working it through,  
17 we were under no obligation to address every concern.

18 COMMITTEE MEMBER PEACE: Right. That's why like  
19 the last bullet it seems to be like incorporated on page  
20 23, but some of the other ones I didn't find. I'm just  
21 saying some of the ones that you didn't incorporate are  
22 things we're still going to discuss more?

23 ACTING DIRECTOR WILLD-WAGNER: If they're  
24 submitted in the formal process, of course we would  
25 respond to them formally. In addition, what we presented

1 today is our best thinking on synthesizing all this  
2 information to what we believe will work best for program  
3 implementation.

4 Today in the item we could have gone through all  
5 of the comments and sort of expressed to you whys and  
6 wherefores and background reasoning behind our thoughts.  
7 We didn't go that far in depth in our item, but we could  
8 discuss them now or individually to answer any specific  
9 question you might have.

10 COMMITTEE MEMBER PEACE: Like the first one I  
11 know that was discussed at numerous workshops. And some  
12 of the ones I'd gone to -- and I didn't know we made a  
13 decision on that yet. And I didn't see that in here. So  
14 that's still something we're going to discuss?

15 ACTING DIRECTOR WILLD-WAGNER: And that was --  
16 the first one, just for everyone's information here, is to  
17 allow franchise agreement with local governments for  
18 curbside collection to be sufficient to obtain the  
19 designated approved collector status. We do feel we  
20 addressed that pretty extensively and exhaustively in the  
21 emergency regulation revisions that we had approved here  
22 by the Board in November. So that's one of those areas  
23 that unless it's brought up again as part of the formal  
24 period, we did feel that got a pretty full vetting. And  
25 local governments were interested in maintaining that

1 authority to designate whom they wish to deal with as far  
2 as their collector status.

3 CHAIRPERSON PETERSEN: Okay. Great job, guys.

4 So we're just going to proceed with the notice  
5 and get on with it; right? Okay. Great. Thank you.

6 STAFF COUNSEL CONHEIM: Mr. Chairman, this is Bob  
7 Conheim. Just your direction is sufficient to push us out  
8 of the nest.

9 CHAIRPERSON PETERSEN: I can do that; right?

10 STAFF COUNSEL BLOCK: That's correct. The Board  
11 procedures for this kind of an item allow the Chair of the  
12 Committee to start the process. It's not a formal vote or  
13 a Resolution.

14 CHAIRPERSON PETERSEN: I feel really good. Okay.  
15 Thanks, Bob.

16 Moving on, Item L.

17 ACTING DEPUTY DIRECTOR FRIEDMAN: Yes. Agenda  
18 Item L is Discussion of the History, Current Status, and  
19 Opportunities for Expansion in the Recycling Market  
20 Development Zone Program. And John Smith will be making  
21 the presentation for staff.

22 (Thereupon an overhead presentation was  
23 presented as follows.)

24 BRANCH MANAGER SMITH: I'm John Smith. I'm  
25 Manager of the Recycling Business Assistance Branch. Both

1 the Zone and Loan Program are under my branch.

2 Good afternoon, Chair Petersen, Member Peace,  
3 Committee Member Wiggins. Also good to see Board Member  
4 Brown, welcome to the Board. And always good to see  
5 Rosalie Mulé.

6 Before I beginning discussing the specifics of  
7 the Zone Program, I'd like to provide a broader context.  
8 The Integrated Waste Management Act known as AB 939  
9 provided clear roles for local government and the Board in  
10 recycling. Local governments were given the  
11 responsibility to divert materials and develop the  
12 appropriate means to divert those materials to meet the  
13 mandates.

14 The state was given a leadership role in  
15 expanding markets for recycling. In developing the law,  
16 the Legislature felt that market development was a key to  
17 the successful and cost effective implementation of  
18 disposal reduction mandates. The Zone Program is a good  
19 example of that state leadership in providing a program to  
20 establish essential local and regional markets.

21 --o0o--

22 BRANCH MANAGER SMITH: For this discussion today,  
23 we'll provide information of program overview. We'll give  
24 you program history in three easy bites. We'll talk about  
25 accomplishments for the program. It's about a 15-year-old



1 program now, and I've probably been with it for eleven.  
2 I'll also talk about some possible growth options to  
3 consider. And finally end with what staff would consider  
4 a smart growth strategy for the program.

5 --o0o--

6 BRANCH MANAGER SMITH: What is the program? This  
7 program links up the resources of state and local  
8 government with the entrepreneurial efforts of many small-  
9 and medium-size recycling manufacturers with a goal of  
10 making regional and local markets happen.

11 The program was part of the Integrated Waste  
12 Management Act. It was SB 1322, and it was established in  
13 early 1990, January of 1990. Why do we have it? Because  
14 it was felt there had to be a business tool to develop  
15 those local markets and to have the governmental resources  
16 to help those businesses thrive.

17 --o0o--

18 BRANCH MANAGER SMITH: So how does it work?  
19 Through a competitive application process, the Board  
20 approved the zones. Those were local jurisdictions. In  
21 order to meet the requirements of the application, locals  
22 needed to demonstrate they had proper local incentives for  
23 businesses, and they need to show they had proper  
24 resources to administer the program. And also more  
25 importantly, they need to show they had support from their

1 stakeholders that would help them implement the program.

2 --o0o--

3 BRANCH MANAGER SMITH: In terms of how it works,  
4 it's a state and local partnership. The state provides  
5 technical and financial services. Some of those financial  
6 technical services would include helping to source  
7 feedstock, analysis of technologies, and product  
8 marketing. And then we have the loan section which  
9 provides a low interest loan program to our qualifying  
10 recycling manufacturers.

11 The local government's role in this partnership  
12 is to provide some local resources to implement the  
13 program and to provide a combination of local incentives.  
14 Examples of those local incentives include streamline  
15 permitting process, reduce utility rates, micro loans,  
16 site locator services for the businesses, and free or low  
17 cost land. Not every jurisdiction offers the same thing.  
18 This is only a sampling.

19 Who benefits from the program? The local  
20 governments benefit from the program. They have a  
21 potential tool to increase diversion to meet the 939  
22 mandate. They also have the possibility of increasing  
23 local jobs, and some of these are very well paying jobs.  
24 Also for local governments and their populaces, there's  
25 local revenues and tax revenues. For the Board, this

1 re-enforces our commitment to help local jurisdictions  
2 with their diversion efforts.

3 --o0o--

4 BRANCH MANAGER SMITH: We're going to talk about  
5 the three development phrases for the Zone Program.  
6 First, we'll talk about the early phase when we designated  
7 the original zones. Then I'll talk about the expansions  
8 that occurred after that. And then our most recent cycle  
9 is where we process the redesignations of the zone. That  
10 is allowing them another 10-year period.

11 As I said, SB 1322 was part of the Integrated  
12 Waste Management Act. It was enacted in 1989. The  
13 program became effective January 1st, 1990. This program  
14 was modeled very closely after the Trade and Commerce  
15 Enterprise Zone Program. So we look to them in terms of  
16 the staffing it would take to initially designate as well  
17 as more importantly maintain them.

18 Based on that information and the staff that we  
19 had, we reached the conclusion that we could support 40  
20 zones, designate and fully support. So we took that  
21 number to the Board and recommended that that be the  
22 number of zones that we be fixed with. So the Board  
23 approved that policy in 1992.

24 In four subsequent designation cycles, the Board  
25 designated the 40 zones. That took place between 1992 and

1 1995. As a result of those four years of designations,  
2 196 jurisdictions were added to the program. The total  
3 area served by the zones was 42 percent and 44 percent of  
4 the population were served at that time. By 1995, the  
5 Board made a decision to keep the cap at 40 because of  
6 existing staffing resources and allow further expansions  
7 of existing zones through the designation process.

8 --o0o--

9 BRANCH MANAGER SMITH: So moving on to the  
10 second -- we're already there. Moving on to the second  
11 phase, expanding and sustaining the program, during that  
12 period, we had eight zone expansions approved. Those zone  
13 expansions brought to a total 258 jurisdictions  
14 participating, representing over 48 percent of the total  
15 jurisdictions. Total land area went to 55 percent, and  
16 the total population served went to 55 percent.

17 Also during this time, we were asked by our  
18 stakeholders and our zone administrators to expand the  
19 scope of services we provided. And two programs I'd like  
20 to note would be our Recyclestore where we allow the  
21 recycling manufacturers starting in the rural areas to  
22 advertise their products both state and nationally. We  
23 also developed/implemented an economic gardening program.  
24 With the economic gardening program with very  
25 sophisticated databases you're able to identify for

1 businesses both feedstock for the manufacturing process  
2 and customers for their finished product.

3 And during this phase, we funded approximately  
4 \$47 million in loans. The first period of about \$11  
5 million.

6 --o0o--

7 BRANCH MANAGER SMITH: The last phase of  
8 development we're winding down with would be the zone  
9 renewals. Zone designations are only good for ten years.  
10 But the Board is allowed additional designations. So  
11 beginning in 1993, local governments were asked to  
12 recommit to the program. We are now at the end of the  
13 last cycle, and already 31 zones have been approved by the  
14 Board for redesignations. They will start with a new  
15 ten years. Hopefully a very productive ten years as we  
16 had with the first.

17 During the course of the redesignation process,  
18 some of the zones took advantage of this time to actually  
19 expand their existing areas. Like Sacramento County  
20 significantly expanded the area served by the zone.  
21 That's really good for recycling businesses.

22 For matter of efficiency, two zones, the city of  
23 Porterville and Southern San Joaquin, joined together to  
24 form one zone. But the bad news was six zones decided not  
25 to renew. The reasons cited were lack of resources, staff

1 resources mainly. And then in the case of the city of  
2 Anaheim is another example, they decided not to go with  
3 the Zone Program because they were no longer interested in  
4 expanding a manufacturing base. They wanted to look  
5 instead at developing service industries. So they were no  
6 longer interested. And we do have a couple of counties  
7 left.

8           So at the end of this last development phase, we  
9 had 249 jurisdictions participating. The zones covered 52  
10 percent of the state and about 55 percent of the state's  
11 population.

12           Next slide.

13                               --o0o--

14           BRANCH MANAGER SMITH: That kind of summarizes  
15 what I was saying about the different phases. And the  
16 three indicators we use for growth are starting from the  
17 left-hand side of the bar graphs, the number of  
18 jurisdictions, the geography, and the population served.

19           Just in summary, through the three development  
20 stages, we went from 37 percent of the jurisdictions to 46  
21 in the last phase. Area served by zones went from 42  
22 percent initially to 52 percent. And population served  
23 went from 44 percent to 55 percent.

24                               --o0o--

25           BRANCH MANAGER SMITH: To give you a flavor for

1 the loan activity in the three periods. For the first  
2 period, we had almost \$11 million in loans approved. For  
3 the second period that went up to almost \$47 million. And  
4 for the final the last phase we're in now, we have \$34  
5 million in closed loans and another 11 million which the  
6 Board have approved where funding is pending. That would  
7 bring us -- if all those loans make it through closing,  
8 we'll have 45 million for that period.

9 --o0o--

10 BRANCH MANAGER SMITH: Just so it can be a little  
11 more visual here, those counties in color are the counties  
12 that are in jurisdictions covered by the zone program.

13 --o0o--

14 BRANCH MANAGER SMITH: The accomplishments since  
15 the beginning. The businesses now participating in the  
16 zone areas are diverting 10 million tons of materials  
17 annually. That's quite an accomplishment. We have closed  
18 on 133 loans during the history of the program totaling  
19 \$80 million. That \$80 million has brought a combined  
20 private and public investment of \$212 million. And for  
21 those businesses participating in the program, we estimate  
22 that they've saved \$16 million in interest through our low  
23 interest loan program. And we have both zone assisted and  
24 loan assisted. There's 408 businesses that we helped  
25 through the history of the program.

1           There are also some other significant  
2 environmental benefits. We estimate over 2 million tons  
3 of greenhouse gas have been reduced as a result of this  
4 program and the recycling that has come along with it, as  
5 you were alluding to, Mr. Petersen, earlier. We've also  
6 had a reduction of a million tons of pollutants with this  
7 program. And the one that isn't up there --

8                               --o0o--

9           BRANCH MANAGER SMITH: -- we saved enough energy  
10 to generate power for 185,000 homes for those businesses  
11 and recycling. That's what they've done.

12                              --o0o--

13           BRANCH MANAGER SMITH: Now we're going to turn to  
14 options for growth. And we're looking at three possible  
15 scenarios.

16           We could stay at the status quo with 33 zones.  
17 We still have two that are finishing the redesignation  
18 process, and hopefully they'll make it through it. And  
19 I'm sure they will. We can adequately take care of those.  
20 We have sufficient loan funds. To the end of the sunset  
21 of the loan program, which is 2011, to the sunset date, we  
22 project we have enough to do \$10 million in loans each  
23 year. So for 33 zones, we figure that would be quite  
24 adequate for those zones, because currently we're doing  
25 about eight million per year.



1           The downside is there's some very interested  
2 jurisdictions and we just got one today right before the  
3 meeting. There's eight jurisdictions that have been very  
4 interested in becoming part of the Zone Program. So they  
5 would be left out.

6           We could go back to 40 zones. We feel that we  
7 could do that with staff, but we may be a little stretched  
8 in terms of going through a designation process and also  
9 providing the same level of support to our existing zones.  
10 So in looking at our staff assessment, probably if we had  
11 one additional person in my Business Development Section  
12 Zone Program and one in the Loan Program, we could well  
13 take care of the support to the existing zones and well  
14 market the outreach for the new designation and get these  
15 people through -- the new jurisdictions through the new  
16 designation, if that occurs.

17           We also looked at going beyond, going statewide  
18 as they say, going beyond 40 zones and what that would  
19 take. Obviously, this has clear benefits to local  
20 jurisdictions in terms of a tool to get them to their  
21 goals. And also a great economic development tool, more  
22 jobs.

23           In looking at that, we felt we'd need two  
24 positions -- two additional positions in the Business  
25 Development Section, and three more loan officers to go

1 statewide. Currently, we have seven staff in the Business  
2 Development Section. That would be brought to nine. And  
3 for the Loan Section, they're currently at five. That  
4 would be brought to eight.

5           We also estimate to cover the statewide we  
6 probably need an additional \$3 million a year to fund the  
7 Loan Program. Currently, as I just said, we're projected  
8 to have 10 million per year through the sunset. So what  
9 would have to happen if we were going to go that direction  
10 is we'd have to take another approximately \$3 million a  
11 year from the Integrated Waste Management Account to fully  
12 implement that.

13                               --o0o--

14           BRANCH MANAGER SMITH: In the process of spending  
15 many hours on this assignment, we came up with what we  
16 thought was the smart growth strategy. This is what we  
17 would propose as a strategy. Allow the staff to bring  
18 back an item in March to allow us to initiate a new  
19 designation cycle to fill the seven vacancies and allow us  
20 then to go ahead and fill the 40 zones. At the same time,  
21 while we're going through that designation process, we  
22 would do a comprehensive outreach approach so we could use  
23 every tool available to get the word out to locals.

24           So what we would do is have staff or Board  
25 sponsored workshops throughout the state. We would look

1 at partnering with Office of Local Assistance with their  
2 partners, with their Steering Committees, Planning  
3 Committees to outreach to them to find addition -- to get  
4 the word out to additional jurisdictions. We'd also like  
5 to partner with League of Cities, the California  
6 Association of Local Economic Developers. They're all  
7 local government reps. So we'd reach out to them and  
8 their venues to get the word out.

9           And after going through this additional  
10 designation process, we would then see how many  
11 jurisdictions were still interested in becoming a zone and  
12 engage the program accordingly. So if there was a need,  
13 we'd come back to you to indicate how many we need in the  
14 next designation cycle and the resources that would be  
15 necessary.

16                               --o0o--

17           BRANCH MANAGER SMITH: So in closing, the Board  
18 has an opportunity to include new jurisdictions in the  
19 RMDZ program. The program has achieved significant  
20 positive results over the 15-year period. A core mission  
21 of the Board is to actively help governments increase  
22 their diversion efforts. We feel the Zone Program's a  
23 great tool for that toolbox.

24           What we recommend the Committee do is to allow  
25 staff to begin implementing a smart growth strategy and

1 starting next month bringing to the Committee and the  
2 Board an item to initiate the zone designation process to  
3 go back to 40 designated zones.

4 Are there any questions?

5 CHAIRPERSON PETERSEN: Well, any questions? Go  
6 ahead.

7 COMMITTEE MEMBER PEACE: I was going to say, to  
8 do that, did you say we needed two more people if we went  
9 to the 40, that you need two more people?

10 BRANCH MANAGER SMITH: We would like one each,  
11 yes, to do it right.

12 COMMITTEE MEMBER PEACE: Do we have any idea  
13 where those two people would come from?

14 BRANCH MANAGER SMITH: I haven't talked to Admin.  
15 I mean, we'd be stretched doing, you know, the 40 with  
16 existing staff.

17 COMMITTEE MEMBER PEACE: As I read this item, one  
18 thing I was curious about is it said the Loan Program used  
19 to have it serviced outside the Board and you said to  
20 bring it inside actually saved money.

21 BRANCH MANAGER SMITH: It did.

22 COMMITTEE MEMBER PEACE: How long ago was that  
23 that you had service outside the Board?

24 BRANCH MANAGER SMITH: We brought it in two or  
25 three years ago. We had almost the entire history prior

1 to that was outside service.

2 COMMITTEE MEMBER PEACE: How did you handle it  
3 before? A bank?

4 BRANCH MANAGER SMITH: It was handled by one  
5 local bank here, and it was handled by the second one I  
6 believe was a bank also. It was very expensive.

7 CHAIRPERSON PETERSEN: This program is amazing,  
8 because not only what it does as far as market  
9 development, but our zone administrators know exactly  
10 what's going on in the local areas, which is another  
11 benefit to us. As we get in the green procurement side of  
12 things with General Services in the state procurement  
13 getting other small- to medium-size companies who produce  
14 product will come here.

15 Is there anybody, any jurisdiction within the  
16 program that's really not using the resources that was  
17 allocated to them over that period? Is everybody pretty  
18 much on board?

19 BRANCH MANAGER SMITH: I'll let Corky take that.

20 SUPERVISOR MAU: Hello. I'm Corky Mau. Good  
21 afternoon, Board members.

22 Yes, to answer your question, almost all of them  
23 that have chosen to renew have utilized the services  
24 fully. Some more than others. And we're not talking just  
25 simply businesses who have sought out loans. Over 400

1 businesses are active in the program that had received  
2 services. About 25 percent have only requested a loan and  
3 been funded for a loan. So a great majority of those  
4 businesses have received other technical business services  
5 that have still helped to sustain them. Some businesses  
6 are small. They're not ready for a loan. And others as  
7 they stay with the program and they become -- you know,  
8 they become bigger or they want to enlarge or expand their  
9 services and their businesses, sometimes then they are  
10 ready for a loan and our staff works very hard to get them  
11 there.

12           BRANCH MANAGER SMITH: Let me just add or leave a  
13 lasting image with you that the Zone Program is more than  
14 a Loan Program. I've had a ten-year trying to convince  
15 the Board that this program is first diversion. And we  
16 have many tools to make diversion work with the Zone  
17 Program. And the zone administrators do a lot to get  
18 their businesses going with or without our help. And the  
19 Board provides some significant technical services as well  
20 as a great low market loan program. That's the one  
21 thought I wish you could keep, that this program is more  
22 than just loans.

23           COMMITTEE MEMBER PEACE: I just have another  
24 question. If for some reason we didn't renew a zone  
25 designation and we let another jurisdiction have a chance

1 to get in, are there still services the X zone could still  
2 use? Would the recycling businesses be able to use the  
3 Recycle Store? If the local jurisdiction decided to kind  
4 of keep putting in resources to have the zone  
5 administrator, would they still be able to come to the  
6 trainings? I mean, would they be like just totally  
7 without -- if we decided not to renew and instead let  
8 somebody else have a chance to get in, would we say,  
9 forget you, we're not going to do anything with you any  
10 more? Or would they still be able to use some of the  
11 resources? Just because we don't redesignate them, they  
12 could still keep -- you know, the local government still  
13 could be providing the business incentives and, you know,  
14 that sort of thing; right?

15 SUPERVISOR MAU: Good question. And the answer  
16 to your question is yes, with a caveat. Businesses that  
17 are in a zone and that choose not to renew -- for  
18 instance, if they were in the RecycleStore or they had an  
19 existing loan, they would not drop off our radar screen.  
20 We would still continue to provide technical service to  
21 them. But if that particular business wanted to come  
22 forward with a subsequent loan, for instance, they would  
23 not be eligible for that. Does that answer your question?

24 COMMITTEE MEMBER PEACE: Basically they would  
25 have some services available to them, but they wouldn't be

1 qualified to get a loan?

2           SUPERVISOR MAU: Right. And right now we also  
3 have one staff person that's actually in reality about a  
4 half of a PY. We have a staff person who actually  
5 addresses a lot of questions that come from out of state  
6 or from businesses who are not located in a zone  
7 currently. And that's a huge responsibility. I could  
8 probably really use one full PY for that. Because with  
9 California being the leader and being on the edge of, you  
10 know, innovation and technology and a lot of different  
11 commodities that need to be addressed for the diversion,  
12 there are a lot of opportunities that a lot of businesses  
13 who are still in the state but not in a zone or abroad or  
14 in another state that come and we funnel all of those  
15 questions to with the assistance of some other staff  
16 people, OLA or within our own Markets Division.

17           CHAIRPERSON PETERSEN: When you're diverting 10  
18 million tons annually, that's a big chunk. That's great  
19 stuff. Okay.

20           Is there any other comments or questions?

21           Thank you, John.

22           We have one speaker for this item. Ricardo  
23 Tapia, I believe. Where am I? The next item. Sorry.  
24 I'm very confused.

25           So we're looking forward to you guys coming back



1 to us.

2 BRANCH MANAGER SMITH: In March with an item.

3 CHAIRPERSON PETERSEN: I think it's a great  
4 program. Good stuff. Okay.

5 ACTING DEPUTY DIRECTOR FRIEDMAN: Are we ready  
6 for the next item?

7 CHAIRPERSON PETERSEN: I'm ready.

8 ACTING DEPUTY DIRECTOR FRIEDMAN: Item I is  
9 Consideration of Application to Renew the Santa Barbara  
10 County Zone Designation. And Dassi Pintar will be making  
11 the presentation for staff.

12 CHAIRPERSON PETERSEN: Excuse me one minute.

13 For those of you who are using the mikes, we want  
14 to make sure all the mikes are off so there's no feedback  
15 going back through the mikes. When you're not speaking,  
16 turn them off, please.

17 MS. PINTAR: Good afternoon, Chairman Petersen  
18 and Board members. My name is Dassi Pintar. I work in  
19 the RMDZ Program. I'm here to speak about the renewal of  
20 the Santa Barbara Regional Recycling Market Development  
21 Zone.

22 The Santa Barbara Zone is comprised of  
23 Unincorporated Santa Barbara County plus the three cities  
24 of Santa Barbara, Santa Maria, Lompoc. The zone is  
25 administered by the County of Santa Barbara Public Works

1 Department Resource Recovery and Waste Management  
2 Division. Thus far, no businesses in the Santa Barbara  
3 Zone have received an RMDZ loan, although they would like  
4 to change that statistic. The zone has, however, provided  
5 other types of assistance to several zone businesses, and  
6 those businesses were responsible for diverting about  
7 390,000 tons in 2004.

8           The Santa Barbara regional RMDZ has made a new  
9 commitment to the RMDZ Program. Some of the elements of  
10 that commitment include the following:

11           They formed an Advisory Board including the zone  
12 administrator and representatives of the three cities.

13           The Advisory Board has begun meeting regularly to  
14 discuss the RMDZ Program.

15           And the zone administrator has set five goals for  
16 the first year after renewing, including developing new  
17 outreach materials, establishing an information  
18 clearinghouse to centralize resources for zone businesses,  
19 building and fostering cooperative relationships between  
20 economic development and solid waste representatives of  
21 each of the jurisdictions, establishing procedures for  
22 handling inquiries from businesses and entrepreneurs  
23 interested in the Santa Barbara Zone, and developing a  
24 plan for publicizing the zone through outreach within the  
25 business community and the community at large.

1           The target feedstocks for this zone include HTPE,  
2 mixed plastic, glass, mixed paper, and compostables.  
3 Agricultural film is also a major concern.

4           Santa Barbara County as a whole has shown a  
5 strong commitment to waste diversion as evidenced by their  
6 overall current approved diversion rate of 63 percent.  
7 Some of the county's programs that reflect their support  
8 of the Board's zero waste efforts include their mandatory  
9 commercial recycling program, the county's e-waste program  
10 which accepts all types of e-waste. They recently stepped  
11 up promotion of their ongoing mulch program. And the  
12 county anticipates implementing its mandatory C&D  
13 recycling program in 2006.

14           Approval of Santa Barbara County's application to  
15 renew their RMDZ for another ten years will assist them in  
16 supporting market development within their zone and  
17 allowing them to continue providing RMDZ services to  
18 recycling-based manufacturers within their zone.

19           Representative from Santa Barbara County are here  
20 today to support this item. And that concludes my  
21 presentation.

22           CHAIRPERSON PETERSEN: Great. Comments?

23           Is there anybody here from the county? Could you  
24 step up to the mike, please. Give us your name.

25           MR. NAKASHIMA: My name is Alan Nakashima. I'm a

1 program specialist with the County of Santa Barbara Public  
2 Works Department. And my boss is also here, Leslie Wells.

3 MS. WELLS: Good afternoon.

4 CHAIRPERSON PETERSEN: Afternoon.

5 MR. NAKASHIMA: And I just wanted to thank the  
6 Board for its support for the RMDZ Program. And in  
7 particular, I'd like to thank Dassi Pintar, who's our  
8 representative with the Waste Board. And she's been great  
9 in terms of her assistance and patience and understanding  
10 in terms of helping us with our efforts in terms of the  
11 program.

12 And we do consider the RMDZ Program one of many  
13 tools to help us increase our diversion. And as Dassi  
14 summarized, I mean, we are pretty aggressive in our  
15 recycling programs. And our RMDZ Program is yet another  
16 tool in our efforts for diversion. So, we would like to  
17 reaffirm our commitment in fostering partnerships between  
18 economic development staff, solid waste staff of not our  
19 own jurisdiction, but the three participating cities and  
20 the Waste Board and the business community. So we think  
21 it's a very good program.

22 CHAIRPERSON PETERSEN: Excuse me. Now it shows  
23 here you guys are -- by the way, this is home plate for  
24 me, Santa Barbara. So that's why I'm asking the  
25 questions. So the intent here on several of these

1 projects is to promote working with plastics recycling and  
2 coordination of I guess C&D activities. What are the  
3 newest things coming up? Because I understand there's  
4 been a lull, and we need to get -- what's in the hooper?

5 MR. NAKASHIMA: As Dassi indicated, we are  
6 anticipating implementing a mandatory C&D recycling  
7 program during this calendar year. We already divert I  
8 think -- what is it? About 70 percent of the C&D in our  
9 county. So we're at a pretty high level. But again, we  
10 have the self haulers that we'd like to capture and make  
11 sure they are diverting their C&D.

12 CHAIRPERSON PETERSEN: Any market development  
13 with new industries coming in?

14 MR. NAKASHIMA: Yes, agricultural film, as Dassi  
15 mentioned, that's a hot issue. And I've received several  
16 inquiries the past couple of years from firms that have  
17 developed technology to process and convert the ag film  
18 into pallets which are sold to like auto makers for parts.  
19 So we're going to be working on that.

20 CHAIRPERSON PETERSEN: Okay. Well, great. I  
21 want to see us -- you know, Santa Barbara should be lead  
22 in the state, just because I live there. We've got to do  
23 better at home plate.

24 But anyway, thank you very much. I'm looking  
25 forward to working with you locally to make sure we

1 encourage a lot of this. Okay.

2 MR. NAKASHIMA: Thank you.

3 CHAIRPERSON PETERSEN: Are there any other  
4 comments or questions?

5 COMMITTEE MEMBER PEACE: I guess my other  
6 comment, it's great that Santa Barbara is at 62 percent  
7 diversion. That is fabulous. What I'm going to say  
8 doesn't have anything to -- don't take it in the wrong way  
9 I have anything against Santa Barbara. Just in my own  
10 thinking, our staff has just told us that with staff  
11 constraints that the most jurisdictions we can handle is  
12 40, that there are eight jurisdictions that are interested  
13 in coming on to the program. I just wondering if maybe  
14 giving a chance to some of those other jurisdictions to  
15 develop their recycling businesses to help them up their  
16 diversion rates might be a better use of our resources.

17 And you mentioned that you've developed an  
18 Advisory Board down there and come up with plans. Just  
19 because you weren't a designated zone doesn't necessarily  
20 mean you can't go forward still at the local level in  
21 implementing those plans.

22 MR. NAKASHIMA: Yeah. I mean, that's part of our  
23 effort during this first year of renewal to ramp up the  
24 activity. We haven't been as high of a level as we'd  
25 like. And so one of my parts of my plan is to make sure

1 that the representatives of the participating  
2 jurisdictions that we meet on a regular basis to keep the  
3 lines of communication going to foster cooperations  
4 between our economic development staffs and the solid  
5 waste staff. Because among the participating  
6 jurisdictions, the three cities that are part of our zone,  
7 they're solid waste people as am I. And so we need to  
8 become more familiar with the services and programs that  
9 our economic development people offer. So that's part of  
10 this overall plan that Dassi referenced in her remarks.

11 COMMITTEE MEMBER PEACE: It sounds to me that  
12 would be something you want to do any way, even if you  
13 didn't get your zone designation. You would still move  
14 forward on that.

15 MR. NAKASHIMA: That's what I'm saying. We  
16 haven't been doing that as high of a level as we should  
17 be. We want to address that.

18 BRANCH MANAGER SMITH: I just might add I think  
19 there's plenty of resources right now to take on seven or  
20 eight jurisdictions, and Santa Barbara is a model. There  
21 are several other zones that aren't even close. So I  
22 think that continuing that support will definitely get  
23 them maybe to 70 or 75.

24 COMMITTEE MEMBER PEACE: So how often do these  
25 renewals -- do you continually have renewals coming up?

1           BRANCH MANAGER SMITH: Yes. The Board has the  
2 authority to grant additional renewals, and each renewal  
3 is for ten years like the original designation.

4           COMMITTEE MEMBER PEACE: So not all at a ten-year  
5 time. They're all continually coming forward. And  
6 then --

7           BRANCH MANAGER SMITH: Yeah. I mean, since they  
8 were done in cycle.

9           COMMITTEE MEMBER PEACE: Ten year's time they got  
10 their designation --

11          BRANCH MANAGER SMITH: Since they were done in  
12 four cycles, they'll gradually come in. We're just  
13 doing -- we just have two left. Maybe I misunderstood.  
14 There's one after the Board, if the Board approves Santa  
15 Barbara. Then we have northeastern California.

16          COMMITTEE MEMBER PEACE: So if we renewed Santa  
17 Barbara, we'd still have enough slots to fill the ones  
18 that are --

19          BRANCH MANAGER SMITH: There's 33 if both of  
20 these designations are approved.

21          COMMITTEE MEMBER PEACE: I thought you said you  
22 had like eight that are interested.

23          BRANCH MANAGER SMITH: Seven vacancies to fill.  
24 There's eight interested jurisdictions.

25          COMMITTEE MEMBER PEACE: But if we only have 40



1 slots, and 33 are filled, you have eight that are  
2 interested.

3 BRANCH MANAGER SMITH: And the interest has been  
4 expressed over time. So maybe when we go back to all of  
5 the eight, they may not be interested at this time.

6 COMMITTEE MEMBER PEACE: Or you might have more  
7 that would be interested.

8 BRANCH MANAGER SMITH: But they may not have the  
9 resources to commit to it, too.

10 COMMITTEE MEMBER PEACE: Okay. Thank you.

11 CHAIRPERSON PETERSEN: John, question. I notice  
12 they approached us. Is our analysis there's others that  
13 we think that they should be designated a zone from our  
14 staff's point of view? I mean, when we're out there --

15 BRANCH MANAGER SMITH: I think if we know they  
16 exist -- unless Corky has a separate list. If we know  
17 they exist, we'll certainly encourage them to apply for  
18 the zone.

19 BRANCH MANAGER SMITH: Yes. And if I could add,  
20 we have looked at other strategies. For instance, looking  
21 at the jurisdictions who are currently below the  
22 50 percent diversion rate and possibly targeting some  
23 regions for them to come in. And so we want to be smart  
24 about where we hold our workshops and specifically  
25 address, you know, those needs for them to see if this

1 program could benefit their needs.

2 COMMITTEE MEMBER PEACE: So again you feel like  
3 keeping in a jurisdiction that's already at like 62  
4 percent, you'll still have enough slots to help all those  
5 ones that are struggling that would want to get into the  
6 program?

7 SUPERVISOR MAU: Yes. I feel that. I think we  
8 do. And I think that it would be wise of us and prudent  
9 to go out and reassess at this point what the interest  
10 level is out there. If we have 10 or 12 or, you know, 15  
11 more, there's nothing saying we couldn't come back with  
12 another designation cycle. And if we had adequate  
13 staffing resources and funding resources to fully  
14 implement an expanded program beyond 40 zones, we would be  
15 fully supportive of doing that.

16 COMMITTEE MEMBER PEACE: Okay. Thank you.

17 CHAIRPERSON PETERSEN: Margo.

18 BOARD MEMBER BROWN: Can you be a little bit more  
19 specific about what kind of programs you're using to  
20 encourage businesses? Did I hear you say they hadn't  
21 taken advantage of the Loan Program? Did I hear that?

22 MS. PINTAR: Yes.

23 BOARD MEMBER BROWN: Are you doing something to  
24 encourage businesses to move into the zone and develop  
25 more businesses to take on the materials?

1           MR. NAKASHIMA: Well, each of the jurisdictions  
2 has their own different types of incentives. The south  
3 part of Santa Barbara County has a higher challenge in  
4 that regard, because as you probably have read and heard,  
5 we have, if not the highest, one of the highest costs for  
6 costs of living, costs of housing, costs of land. And so  
7 it really represents a challenge for the southern part of  
8 Santa Barbara County to attract manufacturers.

9           The south part of the county also another  
10 hindrance is it's pretty much built out. So the north  
11 part of the county is where I think the opportunities --  
12 the greater opportunities lie. And city of Santa Maria  
13 which is right at the northern border of our county has a  
14 pretty pro-development, pro-business approach. They still  
15 have ample vacant land, and they have fast track  
16 permitting, and they have various types of incentives to  
17 offer to manufacturers.

18           MS. PINTAR: If I may jump in. As Alan  
19 mentioned, we'll be focusing on the northern part of the  
20 county specifically the ag film issue and trying to bring  
21 them into the program, because the land is more affordable  
22 and there's more opportunity there.

23           But the other point I'd like to make is, you  
24 know, in economic development there's always more  
25 potential to work on existing businesses than try to bring

1 new ones in. I mean, a proportion of businesses that we  
2 work with that are actually brought in from outside is  
3 small compared to when we help the businesses that are  
4 already there. That's also a factor in who the RMDZ  
5 Program works with, is the existing businesses.

6 CHAIRPERSON PETERSEN: Great. Thank you.

7 Do we have a motion?

8 COMMITTEE MEMBER WIGGINS: Do we need a motion?

9 CHAIRPERSON PETERSEN: Yes, we do, to approve if  
10 we want Santa Barbara to get this.

11 COMMITTEE MEMBER WIGGINS: Right. I'm sorry.

12 COMMITTEE MEMBER PEACE: I'd like to move  
13 Resolution 2006-37 Revised.

14 CHAIRPERSON PETERSEN: Second?

15 COMMITTEE MEMBER WIGGINS: Second.

16 EXECUTIVE ASSISTANT BALLUCH: Peace?

17 COMMITTEE MEMBER PEACE: Aye.

18 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

19 COMMITTEE MEMBER WIGGINS: Aye.

20 EXECUTIVE ASSISTANT BALLUCH: Petersen?

21 CHAIRPERSON PETERSEN: Aye.

22 This goes on consent.

23 We have another item that's coming up on our  
24 Green Action Plan. I'm wondering if the Board would like  
25 to take a quick break. Or the staff is going to shoot me

1 for not giving them a little time to set up. So how about  
2 until 2:00. Does that give you enough time? We'll be  
3 back at 2:00.

4 (Thereupon a recess was taken.)

5 CHAIRPERSON PETERSEN: What I forgot to do at the  
6 last break was ask if there was any ex partes that we  
7 needed to let anybody know about.

8 COMMITTEE MEMBER PEACE: At lunch time I said hi  
9 to Chuck Helget and Art Aleman.

10 CHAIRPERSON PETERSEN: So did I just now. Okay.  
11 Deb, could you call the roll?

12 EXECUTIVE ASSISTANT BALLUCH: Peace?

13 COMMITTEE MEMBER PEACE: Here.

14 EXECUTIVE ASSISTANT BALLUCH: Wiggins?

15 COMMITTEE MEMBER WIGGINS: Here.

16 EXECUTIVE ASSISTANT BALLUCH: Petersen?

17 CHAIRPERSON PETERSEN: Here.

18 Okay. I guess we're on the Item M.

19 ACTING DEPUTY DIRECTOR FRIEDMAN: Yes. Agenda  
20 Item M is Update and Request for Direction on the Green  
21 Procurement Action Plan and Other Related Activities. And  
22 before staff get into the presentation, Mark Leary has a  
23 couple slides he's going to go over.

24 (Thereupon an overhead presentation was  
25 presented as follows.)

1 EXECUTIVE DIRECTOR LEARY: Thank you, Judy. Good  
2 afternoon, members. Like I did yesterday at P&E, I  
3 thought I'd provide some context. I'm sure you noticed I  
4 didn't provide it in the introduction to the Action Plans  
5 this morning. But this one is a little bit different.  
6 Not only are we summarizing what's occurred in regards to  
7 the Green Procurement Action Plan, one of the six priority  
8 areas the Board designated last January, but we're also  
9 touching on other related activities as Judy just said.

10 There are a number of activities going on within  
11 our Waste Prevention and Market Development arena that  
12 have a closer or less than closer relationship with the  
13 Green Procurement Action Plan or other Action Plans that  
14 the Board has designated. And I thought in putting this  
15 agenda item together, and I really appreciate the hard  
16 work done by all the staff involved with this, it would be  
17 a good opportunity to start to lay some foundation for  
18 what needs to continue as a priority area within the  
19 activities going on in our market development effort and  
20 what maybe can be crafted in a different way to be more  
21 effective.

22 Although the title does include a request for  
23 direction, don't feel real strongly about trying to  
24 accomplish that today as much as trying to get a general  
25 understanding of some of the activities that are currently

1 ongoing.

2           We've started a number of initiatives through the  
3 history of this Board. It's not often we've said stop to  
4 any initiatives. I'm not suggesting necessarily that that  
5 occur within this framework today. But I think ultimately  
6 as we make things a priority, we have to discard other  
7 things in the light of our finite number of resources  
8 within the organization.

9                   So I'm hopeful that today starts that discussion  
10 about some of these items and related items, not only  
11 necessary as part of the market development, but in other  
12 programs and that we continue to keep that in mind as we  
13 set priorities for the organization. So with that  
14 introduction, I'll turn it back to Judy and the team. I  
15 think you'll find a very informative presentation with a  
16 lot of activities that you may or may not know a lot  
17 about. But this group is doing a great job no matter what  
18 they touch.

19                   ACTING DEPUTY DIRECTOR FRIEDMAN: Thank you,  
20 Mark.

21 I think what we're going to do is since you had  
22 gone over that general background on the development of  
23 the plans, I'm going to go right into --

24 --o0o--

25           ACTING DEPUTY DIRECTOR FRIEDMAN:  -- the purpose

1 of the Green Procurement Action Plan. And, really, the  
2 purpose of the Green Procurement Action Plan is, first of  
3 all, it's a multi-division effort. And we'll looking to  
4 establish some quick wins to increase diversion with the  
5 focuses increasing the purchase of recycled content and  
6 environmentally-preferable materials.

7 And I do want to make a point that this is an  
8 important part of greenhouse gas emission reduction  
9 strategies. I know Mr. Petersen asked those questions  
10 this morning when I was giving a brief update about our  
11 greenhouse gas reduction strategies under the Climate  
12 Action Team, and the Green Procurement Action Plan is a  
13 specific part of the strategies to achieve our GHG  
14 reduction strategies that we've been mandated to by the  
15 Climate Action Team. I just want to make that point  
16 explicit.

17 --o0o--

18 ACTING DEPUTY DIRECTOR FRIEDMAN: There are five  
19 main aspects of the Green Procurement Action Plan. Three  
20 are priority materials including construction and  
21 demolition, rubberized asphalt concrete, and organics. I  
22 forgot the first one. And two are more programmatic. One  
23 is environmentally-preferable purchasing, and then the  
24 green procurement toolbox.

25 In this presentation, we're going to go over each



1 of these elements, including the specific targets that  
2 were drafted last year, what our progress to date has  
3 been, and any updates to those targets that we believe are  
4 necessary.

5 --o0o--

6 ACTING DEPUTY DIRECTOR FRIEDMAN: So just  
7 briefly, I'm going to touch on what those goals are. The  
8 specific goals of the organics, C&D, and RAC portion of  
9 the Green Procurement Action Plan were established last  
10 year. We're going to go over each of these in detail, so  
11 I'm not going to focus on them. These are the three  
12 specific goals for organics.

13 --o0o--

14 ACTING DEPUTY DIRECTOR FRIEDMAN: These are the  
15 ones for construction and demolition.

16 --o0o--

17 ACTING DEPUTY DIRECTOR FRIEDMAN: Then we have  
18 two goals for RAC.

19 --o0o--

20 ACTING DEPUTY DIRECTOR FRIEDMAN: We have a  
21 couple goals for environmentally-preferable purchasing.

22 --o0o--

23 ACTING DEPUTY DIRECTOR FRIEDMAN: And, finally,  
24 we have goals for the green procurement toolbox. And I  
25 just want to say about the toolbox, it really performs a

1 very important function as being the place we go for  
2 resource material for assisting targeted audience to  
3 procure green. So what that means is materials that are  
4 coming out of other elements will go into the toolbox.  
5 And it's sort of the glue that holds it together.

6 Now we're going to go over each element and its  
7 goals, as I said before, providing an update on the  
8 progress to date and where we believe we need some  
9 adjustments or assistance.

10 --o0o--

11 ACTING DEPUTY DIRECTOR FRIEDMAN: So the first  
12 element again is organics.

13 --o0o--

14 ACTING DEPUTY DIRECTOR FRIEDMAN: And the first  
15 specific goal under the organics is that we need to have  
16 drafted specifications for compost with Caltrans by this  
17 month actually. And currently we are implementing a  
18 Board-funded interagency agreement with U.C. Riverside in  
19 partnership with the Association of Compost Producers,  
20 commonly known as ACP, Caltrans, both District 7 and  
21 headquarters, the U.S. Composting Council, San Diego State  
22 University, Soil Control Laboratories, and many others.

23 The project is to assist Caltrans in compost  
24 specification development, develop a compost use index,  
25 and develop a compost applications best practices manual.

1           We have made significant progress in this goal  
2 and expect most of these specifications to be adopted by  
3 April of this year. So a couple months later than our  
4 initial drafting of the goal, but still pretty good on  
5 track.

6           Once these specifications are complete, we'll be  
7 holding workshops this summer with various Caltrans  
8 districts up and down the state. In addition, the  
9 specifications will go into the toolbox for local  
10 governments. Many local governments have indicated to us  
11 they rely on Caltrans for their specifications, as they  
12 don't have the resources to create their own  
13 specifications. So this will be a very good tool to go  
14 into our toolbox, not only for Caltrans but for local  
15 governments.

16                               --o0o--

17           ACTING DEPUTY DIRECTOR FRIEDMAN: The second goal  
18 under the organics area is to double Caltrans compost  
19 mulch purchase. Caltrans uses compost statewide primarily  
20 for erosion control. The U.S. Composting Council  
21 estimates that Caltrans has potential market for compost  
22 of between three and nearly seven million cubic yards.  
23 However, you can see why that's a huge potential for us in  
24 terms of organics materials market. However, we do need  
25 to complete the project we're doing with Caltrans right

1 now and really get the buy-in with the districts as we go  
2 up and down the state. And when they have that completed,  
3 we expect we will see a doubling of the Caltrans compost  
4 mulch purposes by the end of 2008. This is a goal that  
5 needs a little updating from when we originally had  
6 projected.

7 --o0o--

8 ACTING DEPUTY DIRECTOR FRIEDMAN: The third goal  
9 under organics is an agricultural demonstration project.  
10 Agriculture in California has an almost infinite potential  
11 to use compost. Yet according to the second assessment of  
12 California's mulch and composting producing  
13 infrastructure, agriculture only accounts for 10 percent  
14 of the organics materials market.

15 The Board over the years has invested quite a bit  
16 in research and demonstration of the benefits of compost  
17 used in agricultural production. For example, we've done  
18 studies on the use of compost and mulch in Mendocino  
19 County for North Coast Vineyards. We've looked at  
20 Southern California use of yard trimmings and compost on  
21 citrus and avocado. We've looked at a compost  
22 demonstration project in Tulare County, green compost in  
23 field crop production.

24 In all of these research or demonstration  
25 products, what we've been focusing on are the general

1 benefits of compost use in terms of helping to build soil  
2 organic matter, increase water retention, suppress  
3 diseases, and produce larger and healthier crops.  
4 However, we have never undertaken the development of  
5 specifications for compost in agricultural settings.

6           And although there's general literature out  
7 there, they do not make a distinction among the different  
8 types of crops. And those guidelines are very broad and  
9 spotty, and they only look at certain parameters, such as  
10 density, organic matter, and particle size perhaps. This  
11 project would build upon the work we've been doing with  
12 Caltrans and the ACP in the compost use index and  
13 partnering with Ag Trade Associations, the Farm Bureau,  
14 and CDFA, California Department of Food and Agriculture.  
15 We would be selecting more comprehensive parameters, such  
16 as plant available nitrogen, phosphorus, sodium, boron, et  
17 cetera, for developing specifications for a sampling of  
18 representative crops, and then we would test these  
19 specifications. What we're really trying to do is get at  
20 real specifications for agricultural applications for use  
21 of compost. Not just general, you know, compost is good,  
22 use it, but very specific specifications for crops.

23           The results would then be used to expand the  
24 association of compost producers index, and that can be a  
25 foundation for further research. And this is one of those

1 cases that should the Board want to pursue this, we would  
2 need some money allocated for this project. And we're  
3 seeking \$100,000, and that would be in a future  
4 allocation. So that is something that we would need to  
5 do.

6 So I've completed the organics portion of the  
7 Green Procurement Action Plan. And next is the  
8 construction and demolition. But before I move on, are  
9 there any questions in this area?

10 COMMITTEE MEMBER PEACE: I just had one question.  
11 We mapped out one of our priority goals is to double the  
12 amount of compost and mulch purchased by Caltrans. When  
13 you get reports on that, is there any way to distinguish  
14 how much compost and mulch is coming from outside of  
15 California or coming from California?

16 ACTING DEPUTY DIRECTOR FRIEDMAN: Well, it's been  
17 challenging over the years for reliable numbers. And one  
18 of the things that's very exciting about the project that  
19 we're doing with Caltrans in partnership with Caltrans is  
20 we're getting a much greater degree of information that's  
21 coming to us from Caltrans. And we think that we will  
22 have a much better understanding at the close of this  
23 project of exactly all the, you know, parameters of where  
24 they're getting their compost and what they need. And  
25 because it's their specifications they will be adopting,

1 they'll be utilizing more from in-California sources.  
2 That has been a concern that some of the purchases they've  
3 made have been from outside sources, because they're  
4 purchasing bagged material.

5 CHAIRPERSON PETERSEN: Question. We know that  
6 basically doing the composting and the state of the art of  
7 where it's at today is successful. And Caltrans is a  
8 logical market, because it's related all over the state.  
9 But one of the things that I wanted to ask you about the  
10 study, are we addressing the issue of getting the compost  
11 from the composters and getting it to the farmers and  
12 spreading it? Is that part of what we're talking about,  
13 physical --

14 ACTING DEPUTY DIRECTOR FRIEDMAN: Well, that  
15 would be part of the project we would be doing on the  
16 agricultural demonstration. We haven't started that.  
17 That would be aspects of what we'd be looking at.

18 CHAIRPERSON PETERSEN: But getting it to the  
19 field is the hard part.

20 ACTING DEPUTY DIRECTOR FRIEDMAN: That's one of  
21 the barriers. This particular project we are talking  
22 about is really focusing on the specifications and the  
23 quality side of things.

24 CHAIRPERSON PETERSEN: Okay. Great.

25 ACTING DEPUTY DIRECTOR FRIEDMAN: Then we move

1 on to construction and demolition. And Bill Orr will be  
2 making this part of the presentation.

3 --o0o--

4 BRANCH MANAGER ORR: Thank you, Judy. My name is  
5 Bill Orr, and I'm the Manager of the Recycling  
6 Technologies Branch.

7 Before I go into the specific targets for  
8 construction and demolition material, I thought I'd give  
9 you a brief overview of how we got to where we are on C&D.

10 First of all, construction and demolition and  
11 waste or material is not really a single material type,  
12 but rather the byproducts of construction or building  
13 activity. C&D is more than concrete. C&D is organics.  
14 And lumber is actually the largest single component of C&D  
15 from the waste characterization study. C&D is paper,  
16 specifically corrugated packaging for building products.  
17 C&D is plastics including carpet. C&D is a natural  
18 diversion target because of its heavy weight and high  
19 diversion potential.

20 C&D is 18 percent of the material that's still  
21 disposed of in the landfill according to the 2004 waste  
22 characterization study. C&D has been a priority material  
23 since the Board's very first Market Development Plan in  
24 1994 followed by the Construction and Demolition Recycling  
25 Plan in 1996, the Disaster Response Plan and Strategic



1 Priority Action Plans in 1997. But it wasn't until the  
2 late '90s in the aftermath of the Loma Prieta and  
3 San Fernando earthquakes and the development of a  
4 recycling infrastructure and the emergence of greener  
5 sustainable building with the Playa Vista project in  
6 Los Angeles and the construction of this building that  
7 we're in here at Cal/EPA and the East End Project that C&D  
8 recycling really took off.

9 --o0o--

10 BRANCH MANAGER ORR: Moving to the specific  
11 targets of the C&D portion, first of all, this is all  
12 predicated on the fact that Senate Bill 1374 from a couple  
13 of years ago required the Board to develop a model C&D  
14 recycling ordinance that could be adopted by local  
15 jurisdictions. This model ordinance was approved by the  
16 Board in March of 2004 and is available on the Board's  
17 website.

18 Based on the number of jurisdictions that had  
19 previously adopted a C&D ordinance -- we know that about  
20 114 jurisdictions have already adopted C&D ordinances or  
21 policies around the state. So the target of increasing  
22 the number of jurisdictions with C&D ordinances by 60  
23 percent would mean we would be looking for a total of  
24 about 68 additional jurisdictions. Based on the fact that  
25 a couple of jurisdictions have shown an increase in their

1 diversion of about 3 percent based on adopting a C&D  
2 ordinance, we estimate the diversion potential of these 68  
3 additional jurisdictions to be about 193,000 tons of C&D  
4 material per year.

5 Progress has been slow to date in terms of  
6 actually identifying which jurisdictions have adopted  
7 ordinances since the plan went into effect, but we can  
8 document that at least two have since July of 2005. But  
9 we heard about one this morning. There were a couple in  
10 the Board morning coffee reports last week. So every week  
11 additional jurisdictions are adopting C&D ordinances.

12 Also, the Division of Planning and Local  
13 Assistance will be receiving their 1066 extension reports  
14 on March 1st, and we should get a better idea of  
15 additional jurisdictions that have adopted C&D ordinances.

16 Staff has also prepared to include questions in  
17 the market assessment action plan survey for local  
18 jurisdictions on C&D ordinance to get a better idea and to  
19 do a phone survey to ascertain exactly what jurisdictions  
20 have adopted C&D ordinances. This particular target is  
21 one where the Waste Prevention and Market Development  
22 Division staff and the Office of Local Assistance staff  
23 are working on closely to move ahead with this target.

24 So we still have a ways to go. But we believe  
25 that there are a lot more jurisdictions that either have

1 adopted or will be shortly adopting C&D ordinances by  
2 December of this year.

3 --o0o--

4 BRANCH MANAGER ORR: The second target within C&D  
5 has to do with increasing the use of recycled aggregate by  
6 Caltrans. And since this target was developed, staff have  
7 looked into it, and we have a longstanding history of  
8 working with Caltrans a little bit like on the organics  
9 slide that we just talked about, but probably initially  
10 more effectively because in fact Caltrans has had a  
11 specification allowing for up to 100 percent recycled  
12 aggregate in road base since 1999. And so staff's  
13 assessment of this particular target is that we should  
14 actually re-focus it to focus on increasing the use of  
15 recycled aggregate by local public works departments using  
16 the Caltrans spec, and that this could be accomplished as  
17 part of the Ogilvy campaign that Jon Myers will be talking  
18 about a little bit later. So we believe that it's not  
19 really a key issue.

20 It's also very difficult to quantify because  
21 unlike a number of other materials that are required to be  
22 reported on under the state agency buy recycled campaign,  
23 C&D materials and concrete are not covered categories for  
24 reporting. So there's not really a baseline. There's not  
25 really any measurement. But we do believe our efforts

1 would be better expended in working with the local public  
2 works departments.

3 --o0o--

4 BRANCH MANAGER ORR: The third area of this  
5 particular target has to do with greening 75 government  
6 and school buildings. The Green Procurement Action Plan  
7 sets a target of greening over 75 schools and state  
8 projects. However, the construction and design process is  
9 very long. And so there are many key steps, and it takes  
10 several years from the initial schematic design to the  
11 completion of construction. So basically what we're using  
12 for the purposes of this item is we are actively involved  
13 in greening a project, we work with them on diversion, on  
14 model ordinances, on material selection. As they go  
15 through a certification process, that would represent the  
16 end course in that.

17 Since July of 2005, a total of 13 projects have  
18 been greened and an additional 82 projects are expected to  
19 be greened by December of 2006. Therefore, staff is on  
20 schedule to exceed the original target and will green over  
21 95 total projects. The majority of this achievement is  
22 based on Board staff efforts with high performance  
23 schools. And I'll be talking briefing about each one of  
24 these categories.

25 --o0o--

1           BRANCH MANAGER ORR: Governor signed an Executive  
2 Order a little over a year ago. It basically established  
3 a standard for state construction using the U.S. Green  
4 Building Council Leadership and Energy and Environmental  
5 Design, or LEED standard, or silver standard for state  
6 buildings. It also called for the state architect to  
7 establish guidelines or select guidelines to be used to  
8 encourage state-funded schools to be built to be energy  
9 and resource efficient. And the state architect actually  
10 selected the Collaborative for High Performance Schools  
11 Best Practices Manual at the end of last year as those  
12 guidelines.

13           The Executive Order also formed a Cabinet level  
14 Green Action Team that interestingly will probably be  
15 chaired by our former Chair Rosario Marin in her new  
16 capacity as the head of State and Consumer Services  
17 Agency. Board staff participates in a number of work  
18 groups under that, including schools, building design,  
19 construction, leasing, and the environmentally-preferable  
20 purchasing task force that you'll be hearing a little bit  
21 more about in detail.

22           Unfortunately, at the first annual report  
23 regarding the progress on the Executive Order, DGS  
24 reported that implementation has been very slow on the  
25 Executive Order. And later on in this item, I'll be

1 making a couple of suggestions on how the Board could  
2 facilitate direct participation in that effort.

3 --o0o--

4 BRANCH MANAGER ORR: In terms of schools, the  
5 Integrated Waste Management Board is actually a charter  
6 member of CHPS and holds a seat on the CHPS Board of  
7 Directors. The Board staff chairs the Technical Committee  
8 and the Materials Subcommittee on CHPS and has organized  
9 and conducted a number of training modules dealing with  
10 materials selection and waste reduction.

11 Basically, our approach is two-pronged with  
12 schools. First is on a statewide basis we're working with  
13 CHPS, and on a local level we're working using a district  
14 approach. We're actually on two implementation committees  
15 with the Los Angeles Unified School District, which is the  
16 largest school district in the state. And we've recently  
17 been invited to participate in a similar committee for  
18 implementing CHPS in the San Diego city schools.

19 As a result, eleven CHPS schools have come on  
20 line since July of 2005. We expect 78 more CHPS schools  
21 to be greened by the end of this year, totaling 89. And  
22 we expect through these two approaches to begin work with  
23 94 other schools.

24 --o0o--

25 BRANCH MANAGER ORR: On the state construction

1 front, there are currently 56 projects in the capital  
2 outlay process that are subject to the Governor's  
3 Executive Order. It's estimated that about seven of those  
4 projects would be able to achieve the LEED silver  
5 standard. There's a number of other projects that are  
6 wobblers. They may be based on involvement by other  
7 agencies. And there are a number that just were too far  
8 along in the process.

9           So far to date, two buildings have been greened,  
10 and we expect an additional two state buildings to be  
11 greened by the end of this year. The two projects that  
12 were greened include the Caltrans District 7 headquarters  
13 building in downtown Los Angeles that was recently awarded  
14 a LEED silver rating and the Butterfield Franchise Tax  
15 Board extension here in Sacramento. Both of these  
16 projects diverted over 90 percent of their C&D materials.

17                               --o0o--

18           BRANCH MANAGER ORR: With that, I'll pass the  
19 clicker down to Nate Gauff who will be talking -- are  
20 there any questions before I pass the microphone down to  
21 Nate Gauff?

22           CHAIRPERSON PETERSEN: No.

23           MR. GAUFF: Good afternoon, Committee members.  
24 I'm Nate Gauff. I'm with the Special Waste Division. And  
25 I'm somewhat of a pinch hitter amongst this group here in

1 that I'm not in the Markets Division.

2 In relation to the Green Procurement Action Plan  
3 and rubberized asphalt, the targets are basically in two  
4 areas, the two main users of rubberized asphalt in the  
5 state. That would be Caltrans at the state level and  
6 local governments.

7 --o0o--

8 MR. GAUFF: In relation to Caltrans, the goal is  
9 to increase the use by 5 percent. We feel that will most  
10 likely be accomplished under the Levine Bill, AB 338,  
11 which does mandate that Caltrans increase their use or  
12 establish use levels of 20 percent by January 1st of 2007,  
13 increasing that to 25 percent by 2010 and then 35 percent  
14 by 2013. Right now based on our best estimates, we  
15 estimate that Caltrans is using about 15 percent of the  
16 total asphalt usage is rubber. So within them meeting the  
17 mandates of AB 338, they should realize the 5 percent  
18 increase within the next year or certainly within the next  
19 18 months.

20 --o0o--

21 MR. GAUFF: With respect to local governments,  
22 the goal is to increase purchases by 10 percent. Right  
23 now we have two grant programs that help fund rubberized  
24 asphalt projects, one being the Kuehl Bill for ongoing  
25 users. And we also have a First Time User Grant Program,



1 the Targeted Incentive Program.

2           The increase will most likely come about as a  
3 result of the First Time User Program. We estimate there  
4 will be an additional 80,000 tons of rubberized asphalt  
5 used as a result of the First Time User Program. And once  
6 again, based on our best knowledge of totals and things  
7 like that of usage, we equate that to about 16 percent  
8 increase over the amount of RAC that's being used at the  
9 local government level. And that is actually a two-year  
10 program right now. We're in the first year of that  
11 program. But we anticipate that we'll have that increase  
12 in usage both this fiscal year and next fiscal year. So  
13 it will be over the next 24 months.

14           Are there any questions?

15           CHAIRPERSON PETERSEN: No.

16           COMMITTEE MEMBER PEACE: The only question I have  
17 when you mention RAC -- but with the Ogilvy Public  
18 Relations contract, aren't we also targeting the TDA?

19           MR. GAUFF: I'll let Jon speak to that a little  
20 bit later. That's one of the upcoming elements.

21           ASSISTANT DIRECTOR MYERS: The quick answer is  
22 yes, we are targeting TDA.

23           SUPERVISOR HART: Good afternoon, Committee  
24 members. My name is Jerry Hart. I'm the Supervisor of  
25 the Buy Recycled Section. One of the other major

1 components of the Green Procurement Action Plan is  
2 environmentally-preferable purchasing.

3 --o0o--

4 SUPERVISOR HART: We've divided up the major  
5 activities that fall within environmentally-preferable  
6 purchasing within two goals of the Action Plan, the first  
7 one being creation of specifications for key materials.  
8 The first effort I'd like to touch upon is the California  
9 Gold Carpet Standard. This is a national effort with  
10 industry purchasers, regulators, and the environmental  
11 community that we've been involved with since 2002. It's  
12 resulted in a National Carpet Stewardship MOU, the Carpet  
13 MOU as we refer to it. The MOU establishes environmental  
14 requirements for state and local purchases of carpet. We  
15 anticipate implementation by the mid-year here, mid-2006.  
16 And the expected result is that carpet purchased by the  
17 state will all meet this Gold Standard.

18 The second effort I'd like to touch on is the  
19 printer and duplication cartridge effort. This project is  
20 geared towards establishing an EPP standard using  
21 environmental criteria. There have been four rounds of  
22 comments and a workshop conducted so far to receive input  
23 from the interested parties. The industry has formed a  
24 working group to kind of work among themselves and kind of  
25 provide a unified voice back to staff. We anticipate

1 completion of the standard again probably mid this year  
2 2006.

3           The result of this effort will be that suppliers  
4 who consider their cartridges as environmentally  
5 preferably products will have a clear and identifiable  
6 standard with which they know their products need to  
7 attain these measurable goals and outcomes. On the flip  
8 side, the buyers when they specify an  
9 environmentally-preferable product, there will be a clear  
10 understanding of what that means.

11           Another effort we're involved with is the  
12 revision of the modular furniture contract. The modular  
13 furniture contract was a landmark effort stemming back to  
14 2001. Widely considered our first  
15 environmentally-preferable contract, a major revision of  
16 those standards. The revision that's going on right now  
17 will result in a higher recycled content requirement among  
18 multiple material types, whereas previously the major  
19 option of that contract was to force suppliers into one  
20 particular product category. This will allow recycled  
21 content use among a wider variety of materials and  
22 components of the furniture.

23           We expect to influence over \$30 million of sales  
24 on the modular furniture contract. We expect the  
25 specifications to be concluded and the contract awarded in

1 September of this year. And again the result of this  
2 contract will be that the modular furniture purchased by  
3 state government will meet this new standard.

4 Another effort underway to creating  
5 specifications is EPEAT, the Electronic Product  
6 Environmental Assessment Tool. EPEAT is a national  
7 multi-agency effort that was gathered to reduce  
8 environmental impacts of electronic products. An  
9 Institute of Electronic Engineers Standards Association  
10 adopted the standard and established it as a national  
11 standard. EPEAT will be hosted on a website where  
12 suppliers will submit their purchases for evaluation and  
13 verification of their environmental claims.

14 The result of this effort will be that  
15 electronics products that are covered under EPEAT, those  
16 purchased by the state, will have gone through the EPEAT  
17 evaluation process and met that standard. This among  
18 others -- these are hundreds of millions of dollars of  
19 contracts that we're influencing positively with higher  
20 standards, in some cases new standards, of environmental  
21 criteria and in essence greening those contracts.

22 The final effort under the creation of  
23 specifications is the National Paint Dialogue. This again  
24 is a national effort stemming out of the Product  
25 Stewardship Institute dialogue that we've been

1 participating in since 2003. This again is a gathering of  
2 manufacturers, recyclers, government agencies, and the  
3 environmental community.

4           One of the key strategies to increase the markets  
5 for recycled latex paint is to enforce the mandated  
6 procurement laws stemming out of the Public Contract Code.  
7 The Board granted a grant for performance standards and a  
8 certification system by which suppliers would submit their  
9 products for evaluation and certification. There is a  
10 contract allocation proposal to develop infrastructure and  
11 increase the collection and procurement of recycled latex  
12 paint coming before you later this month.

13                               --o0o--

14           SUPERVISOR HART: The second area on your  
15 environmentally-preferable purchasing that we have rolled  
16 up our efforts to comply with the Green Procurement Action  
17 Plan efforts is working with suppliers and buyers to  
18 increase supply and demand.

19           One of the most significant efforts under  
20 environmentally-preferable purchasing is our involvement  
21 with the EPP Task Force. The EPP Task Force stems out of  
22 Assembly Bill 498 from 2002 which lays out a number of  
23 goals that is aimed at both Department of General Services  
24 and Cal/EPA. The Board has stepped into that  
25 responsibility of Cal/EPA to act as leadership and in a

1 coordination role to carry out those components. The Task  
2 Force is co-chaired by Rita Hamilton, DGS Procurement  
3 Division Deputy Director, as well as our very own Mark  
4 Leary.

5           The Task Force has been successful in gathering  
6 multiple state agencies, as well as local government  
7 representatives from CSUs and UCs. And what that really  
8 brings to the table is in similar fashion with EPP we have  
9 representation and a good discussion of the majority of it  
10 environmental attributes that surround each product, each  
11 commodity, each area that we're targeting on the Task  
12 Force.

13           One of the major efforts stemming out of the Task  
14 Force is the greening of DGS master contracts. To date,  
15 the cellular phone contract, copier, computers, and office  
16 supply contracts have been greened through the involvement  
17 of Board staff. These four contracts alone amount to over  
18 \$200 million in purchases.

19           Upcoming on the list of contracts to be greened  
20 include maintenance supplies, vehicles, office supplies,  
21 and maintenance paint. Again, several hundred million  
22 dollars that we have had a very positive influence on  
23 through the results of Board staff and the EPP task force.

24           The EPP best practices manual has been an ongoing  
25 effort that has involved over 100 employees from over 16

1 state agencies. Again, Board staff have played a lead  
2 role, co-led with staff from DGS to create this manual.  
3 It covers 42 sections by topic and again addresses a  
4 comprehensive look at the various products and materials  
5 addressed by the chapter. This Best Practices Manual  
6 assists state agencies meeting the requirements of EPP  
7 laws and the Executive Orders. It basically addresses  
8 everything, all the products and materials that  
9 governments purchase.

10 The manual is online and almost 50 percent  
11 complete. We expect completion of the rest of the  
12 sections within the next several months. This product  
13 again will result in increased environmentally-preferable  
14 purchases by state and local governments. And because it  
15 is a web-based document, it's open to anybody free of use.  
16 So we again expect to have a very wide sphere of  
17 influence.

18 Finally, the Building and Buying Green in Indian  
19 Country Guide was a product developed by Board funds. The  
20 tribal governments are underway with over \$5 billion of  
21 construction on tribal lands. The guide is a way that we  
22 hope to again positively influence these building and  
23 construction lands by bringing to them the concepts of  
24 greening and sustainability.

25 The tribes have been very receptive of these

1 concepts. And they, themselves, believe in much of what  
2 we're preaching. So they're on board with working  
3 cooperatively with the assistance of the Board.

4 The guide encourages sustainable products and  
5 practices emphasizing material diversion and construction  
6 and maintenance. Some of the specific opportunities that  
7 these tribal building projects present is over \$2 million  
8 of recycled paint use, \$2 million in recycled carpet use,  
9 and 400,000 tons of RAC.

10 With these opportunities, we hope to continue  
11 working with the tribes to work cooperatively with them  
12 through especially the design as early as possible as we  
13 can get involved with them and on through the construction  
14 phase.

15 That concludes my presentation, if you have any  
16 questions.

17 CHAIRPERSON PETERSEN: None at this time.

18 Jon's up next, right?

19 ACTING DEPUTY DIRECTOR FRIEDMAN: He's up next.

20 But while he's getting started, I just wanted to say that  
21 the last element is the Green Procurement Toolbox. And  
22 again, this --

23 --o0o--

24 ACTING DEPUTY DIRECTOR FRIEDMAN: This is a  
25 critical element of the Green Procurement Action Plan in



1 that it brings together in one area the resources that are  
2 being developed or have been developed so that when we go  
3 out and assist our target audiences to procure green, we  
4 have the tools necessary to do so.

5 So with that, I'm going to turn it over to Jon  
6 who's going to be going over the Ogilvy contract.

7 ASSISTANT DIRECTOR MYERS: Jon Myers, Office of  
8 Public Affairs. I'd like to highlight --

9 --o0o--

10 ASSISTANT DIRECTOR MYERS: -- briefly the one  
11 area -- or rather one of the tools of the Green  
12 Procurement Action Plan, the recycled content materials  
13 outreach campaign. As you know, the Board entered into a  
14 contract with Ogilvy PR for about \$1.2 million campaign  
15 that was designed to reach local California jurisdictions  
16 for the marketing and education of recycled content  
17 materials, particularly rubberized asphalt concrete,  
18 organic material, recycled aggregate, and tire derived  
19 aggregate, TDA.

20 The contractor was instructed to conduct research  
21 and create a database on local jurisdictions' barriers and  
22 hesitations on using recycled content materials. The  
23 contractor's concluding its research this month, at which  
24 time we'll be able to use this information to create  
25 materials and develop a campaign that will allow the Board

1 to understand what the needs and requirements are for  
2 locals to start purchasing these materials.

3           The methods and information developed will serve  
4 as another tool for the Green Procurement Action Plan when  
5 looking to continue to develop jurisdictional procurement  
6 on any other materials that were not the initial focus of  
7 this campaign.

8           Following the completion of the Ogilvy contract,  
9 we will continue to work with local jurisdictions on  
10 developing markets for these and other materials using the  
11 tools provided by the contractors.

12           As noted, Ogilvy is finishing up its research,  
13 and we don't have the final conclusion yet. However, part  
14 of the research was a survey that was conducted at the  
15 League of California Cities annual conference held in  
16 San Francisco last October. While this is only a small  
17 portion of the overall data collected, we did get a  
18 glimpse of some important information that will be  
19 valuable when creating our message.

20                               --o0o--

21           ASSISTANT DIRECTOR MYERS: For example, in the  
22 use of organics material in local jurisdictions, when  
23 asked if cities or jurisdictions are currently using  
24 organics material -- and I apologize it's hard to read.  
25 We took this directly out of an Ogilvy presentation, and

1 it didn't fit well with the green background. The  
2 question up at the top is when asked if cities are  
3 currently using organic materials within their city, 85  
4 percent said yes, which is a great number looking at the  
5 initial stat. However, follow-up questions show that many  
6 jurisdictions are not aware of the complexity of the  
7 organic materials and the many uses or applications, which  
8 kind of demonstrates to us a direction that we can go when  
9 we're out promoting this material.

10 --o0o--

11 ASSISTANT DIRECTOR MYERS: When it comes to the  
12 use of recycled aggregate in cities and jurisdictions, 36  
13 percent weren't sure they were using it and more  
14 questioning find a lack of understanding of its uses. The  
15 27 percent that said they didn't use it also cite  
16 availability and cost issues as the reasons they don't.  
17 Much of these types of barriers are misconceptions about  
18 the material and again show us what direction we need to  
19 go with our campaign.

20 --o0o--

21 ASSISTANT DIRECTOR MYERS: And, finally, the use  
22 of rubberized asphalt concrete. When it comes to the use  
23 of rubberized asphalt concrete in cities or jurisdictions,  
24 we see that we were even at 42 percent for those that say  
25 they use it and those that don't use the material, where

1 those that don't use the material cite the reasons being  
2 cost and education about the material. This is a basic  
3 understanding of cities that will be important to us as we  
4 begin this month to start meeting with the local  
5 jurisdictions and the decision makers.

6           Ogilvy PR is not the end-all answer to our  
7 procurement needs. However, they will contribute to how  
8 we progress in creating larger markets with local cities  
9 and counties as well as with other state agencies. And  
10 just so you know, as I said, we're finishing up this week  
11 on all the data. We're collecting it where Ogilvy will be  
12 coming back before the Board before they go out and start  
13 their campaign to show what the data is that they  
14 collected. So we'll be seeing that coming soon.

15           Are there any questions on the recycled content  
16 material marketing campaign?

17           COMMITTEE MEMBER PEACE: I don't know if this is  
18 the place to bring it up or not. Do we have some sort of  
19 a breakdown from Ogilvy on how much they're spending on  
20 questionnaires, research, and surveys and how much we'll  
21 have left to actually do the education and marketing?

22           ASSISTANT DIRECTOR MYERS: Yes, we do. I can  
23 provide that to you. I don't have it with me. But, yes.  
24 It was part of the initial costs that Ogilvy distributed  
25 to us when we brought them on board.

1 COMMITTEE MEMBER PEACE: I guess I was also  
2 concerned, because I know for as long as I've been here  
3 I've always said we need a new logo. Because the state  
4 with the little boxes in it doesn't depict what the Board  
5 does. It was my idea to put the recycling arrows and the  
6 reduce, reuse, recycle. Make it easy so people had an  
7 idea of what we did.

8 And then I guess I'm concerned with the fact that  
9 now I hear that Ogilvy is developing a logo. And the logo  
10 that I saw they developed doesn't tell me at all --

11 ASSISTANT DIRECTOR MYERS: I don't believe you  
12 saw one that they developed. What you saw, if you are  
13 referencing the one that was --

14 COMMITTEE MEMBER PEACE: I didn't realize  
15 developing the logo was part of the contract.

16 ASSISTANT DIRECTOR MYERS: We're getting outside  
17 of the Green Procurement Action Plan. And if you would  
18 like an update on that, I can bring back at another time  
19 an update on where we're at with logo.

20 COMMITTEE MEMBER PEACE: If you could, I would  
21 appreciate it.

22 ASSISTANT DIRECTOR MYERS: It was at the December  
23 or January Board meeting that we brought that up before  
24 the Board where I got the official direction to go out and  
25 create this logo.

1 COMMITTEE MEMBER WIGGINS: Not January.

2 COMMITTEE MEMBER PEACE: I don't remember that.

3 So if you can come back and refresh me on that at some  
4 point, I would appreciate that. Thank you.

5 BRANCH MANAGER ORR: It's my turn.

6 --o0o--

7 BRANCH MANAGER ORR: I'm back. I'm going to talk  
8 briefly about the California Green Lodging Program, which  
9 is a Board-administered program greening where the state  
10 meets and sleeps in September of 2004. Basically, 2  
11 percent of the food waste stream in California comes from  
12 hotels. We estimate there's about 14 tons of diversion  
13 potential per hotel. We have a target of 300 hotels as  
14 part of the program. So far we've certified a total of 91  
15 hotels, 61 since July of last year. We have an additional  
16 115 prospects that are awaiting their field surveys.

17 Staff has been very creative in developing  
18 partnerships to leverage limited staff resources, both  
19 with corporate entities including Hilton Hotels and  
20 Kimpton both to certify their hotels corporate wide, but  
21 also in the case of Kimpton to develop a measurement  
22 project to verify and validate the diversion numbers that  
23 we estimated.

24 And then most recently, we've developed a  
25 partnership agreement with California Green Business

1 Program, which would be the City of San Francisco -- City  
2 and County of San Francisco that could be used as a  
3 template for partnering with other green business  
4 programs, and that could be included in the green  
5 procurement tool kit.

6 --o0o--

7 ACTING DEPUTY DIRECTOR FRIEDMAN: My turn.  
8 CalMAX is another tool for the green procurement toolbox.  
9 It's an existing and widely used Board web-based program  
10 that works with businesses, local governments, and other  
11 public agencies and nonprofit organizations to exchange  
12 otherwise landfill-bound materials between parties for  
13 reuse or recycling.

14 It supports the Green Procurement Action Plan in  
15 three ways. It diverts priority materials. For example,  
16 in 2005, 5500 tons of C&D materials were diverted and 4700  
17 tons of organics materials were diverted. And just to  
18 note, specifically a quarter of all CalMAX matches are  
19 construction and demolition. So it's an important  
20 component of diverting C&D materials. It's extremely  
21 active with over 35,000 website hits per month.

22 The second way it supports the Green Procurement  
23 Action Plan is in the toolbox for local governments and  
24 businesses. 183 jurisdictions rely on CalMAX to meet a  
25 part of their AB 939 goals. And 16 jurisdictions use a

1 CalMAX portal page to link into the CalMAX database and  
2 website. And we have requests from more jurisdictions to  
3 participate in this way. They have their own face on the  
4 CalMAX Program. It's their own portal entrance, and it  
5 works very well.

6 And, finally, it is part of the EPP Best  
7 Practices Manual, which Jerry Hart described previously.  
8 So CalMAX is identified in that manual as the best  
9 practice.

10 The CalMAX program is a workhorse for the Board  
11 with only one PY who serves over 5300 businesses and  
12 governments routinely.

13 CalMAX users have reported diversion of over one  
14 million tons of material since its inception, but we  
15 believe that diversion rates are likely up to three times  
16 higher. CalMAX is an effective means of diverting  
17 material from landfills, but the program database was  
18 designed in 1992 and needs to be upgraded, as does the  
19 web-based service it provides. We have been working with  
20 IMB to develop upgrades to the system. This would only  
21 improve customer use and improve our ability to track  
22 diversion, and we would like to continue to do that.

23 --o0o--

24 ACTING DEPUTY DIRECTOR FRIEDMAN: WRAP is also an  
25 existing program that annually recognizes businesses and



1 nonprofits for their waste reduction efforts. For  
2 example, there were over 1800 WRAP winners in 2005 and  
3 cumulatively they diverted 1.8 million tons and saved more  
4 than \$140 million.

5           This existing program is a tool in the toolbox.  
6 It educates and incentivizes businesses to divert and buy  
7 EPPs. It's an excellent source of data for case studies  
8 and use by other Board programs. It's important to note  
9 that businesses are not mandated to divert waste, only  
10 local governments under AB 939. So we have very limited  
11 opportunities for data from businesses. And WRAP is one  
12 of the few, if not only, consistent source of data from  
13 businesses in California. We get that data through the  
14 WRAP application, which is very extensive. If you haven't  
15 reviewed it, I'd be happy to go over it with you.

16           An example of how program uses WRAP is the  
17 plastics program that uses WRAP data to determine plastics  
18 generation from businesses in California to help them  
19 target their market development efforts. And it was very  
20 helpful because, again, it's data coming from the over one  
21 million California businesses.

22           Local jurisdictions use WRAP to work closely with  
23 their businesses and gain an understanding of what they  
24 can do to further diversion efforts with the local  
25 businesses.

1           Again, WRAP is a workhorse for the Board with one  
2 PY to run the annual cycle. The database though  
3 functional is old and could stand an upgrade. And  
4 although we are doing case study work, it's limited with  
5 the existing one PY to run the entire annual cycle.

6           And I'm going to turn this back over to Bill to  
7 go over EMS.

8                               --o0o--

9           BRANCH MANAGER ORR: As you may know, the Cal/EPA  
10 building is just completing a third-party certification of  
11 this building as an environmental management system.  
12 Board staff has been directly involved in that effort in  
13 supporting that as the technical expertise. It's a  
14 process for continual environmental improvement.  
15 Specifically, the goals of the Board or the building EMA  
16 is to work green, travel green, and buy green which  
17 directly support the purchase of environmentally  
18 preferable products and diversion. Currently, this  
19 building has a diversion rate of 57 percent.

20           In addition, this can serve as a model for other  
21 state agencies and local governments and as such should be  
22 included in the tool kit.

23                               --o0o--

24           BRANCH MANAGER ORR: While not directly part of  
25 the tool kit, one of the important questions that's come

1 up a lot is, you know, what are you doing to measure your  
2 efforts, not just in terms of program outputs, in terms of  
3 how many workshops and fax sheets we put out. But what is  
4 the effect of our efforts on the environment?

5           So the Waste Prevention and Market Development  
6 Division undertook a measurement pilot a couple of years  
7 ago, the purpose of which was to identify centralized  
8 data, evaluate trends in markets, program impacts, and use  
9 it as a tool for improving those programs, as I mentioned  
10 earlier, to measure the results, the environmental  
11 result's not just the outputs. The pilot that was  
12 conducted focused on organics, green building, and the  
13 Recycling Market Development Zone Program. You've heard a  
14 lot of the figures from that during the presentation  
15 today.

16                               --o0o--

17           BRANCH MANAGER ORR: The conclusion of this  
18 project was that it is, indeed, possible to measure  
19 environmental impact and economic impacts as well. But in  
20 many cases for these materials, there are data points that  
21 are missing or that we only have single snapshots of  
22 what's going on in a particular time, and that those are  
23 limited in value. And in order to really meaningfully  
24 conduct a measurement effort over time, it would be  
25 necessary to have a commitment of resources and money to

1 support those efforts over time. But at the same time, it  
2 sort of goes in the opposite direction of efforts to  
3 streamline measurement and focus on disposal reduction.  
4 So there's sort of a challenge in how to go about doing  
5 that.

6 --o0o--

7 ACTING DEPUTY DIRECTOR FRIEDMAN: We've reached  
8 the end of the presentation portion of this. We are  
9 seeking your direction. But I understand from what you  
10 said earlier there are people wanting to speak. I don't  
11 know if you have questions of us or if we want to go  
12 through the direction of if you want to hear from the  
13 speakers. Looking for your direction on that.

14 CHAIRPERSON PETERSEN: First thing is this is a  
15 wow. What you guys have put together, it's amazing.

16 We have twelve speakers that want to talk. And I  
17 think the day is getting late. So what I'd like to do is  
18 I have questions, but I can get my questions answered  
19 later. Is there anybody else that has a question right  
20 now? Because I'd like to get to the speakers. And please  
21 could you make your comments brief so we can at least get  
22 your input and maybe answer some of your questions.

23 Ricardo, is he still here?

24 MR. ALEMAN: He left. He asked me to speak on  
25 his behalf.

1           CHAIRPERSON PETERSEN:   Would you, please?

2           MR. ALEMAN:   My name is Arturo Aleman.   I'm  
3   speaking on behalf of Ricardo Tapia, the Executive  
4   Director of the Susanville Indian Rancheria and Housing  
5   Authority who was here to speak on behalf of the  
6   Susanville Rancheria Chair and the leadership there.

7           Mr. Tapia came here approximately to the Board  
8   about three or four years ago to speak about the  
9   development of the Building and Buying Green in Indian  
10   Country concept.   And he came as a representative of 17  
11   tribes.   There's a considerable amount of interest in this  
12   process and in the building and buying green.   And what  
13   they need, at least from the direction they've given me to  
14   speak about, their need is for technical assistance and  
15   for liaisioning with the Board.   So on behalf of the tribes  
16   that Mr. Tapia was speaking of, I'd like to request  
17   support for the program and continuation and expansion of  
18   the program.

19          CHAIRPERSON PETERSEN:   Thank you.   I think the  
20   staff -- reaching out to the Indian nations is something  
21   we'll do.   And there's a lot of information.   It's not  
22   only from us, but U.S. Green Building Council and others  
23   that can really help you as well.   So I hope that -- just  
24   have to interface with the staff.

25          MR. ALEMAN:   Great.   We look forward to it.

1           CHAIRPERSON PETERSEN: Paul Ryan.

2           MR. RYAN: Chairman Petersen, Board members and  
3 staff, I had earlier submitted a letter just in case I had  
4 to leave and get back to Southern California.

5           I will briefly mention what is in the letter.

6 And I hope you read it and evaluate our comments very  
7 carefully. I'm here today representing the three waste  
8 hauler associations in the greater Los Angeles area.  
9 That's Inland Empire, L.A. County Waste Management  
10 Association, and the Orange County Waste Management  
11 Association. In addition, I am one of the Board members  
12 of ACP, and we've been working very closely with staff to  
13 develop the specifications and other information necessary  
14 to make the Caltrans concepts workable. And in addition,  
15 we found it very pleasant in promoting some of the  
16 additional contract concepts that both industry and the  
17 Board desire.

18           Today, I want to bring to your attention the fact  
19 that the Green Procurement Action Plan is a fine document.  
20 We certainly support it. But I think there's one  
21 additional component in the plan that needs to be  
22 carefully looked at. And that's carrying forward the plan  
23 to look at additional demand. One of the things that I  
24 mentioned in the letter is -- and I gave several  
25 examples -- is the fact that we have done a lot of work in

1 the infrastructure. We've done a lot of work in  
2 specifications. But we haven't looked at the demand for  
3 the purchase of the materials. And I think that's a  
4 critical element to the overall effectiveness of the plan.

5 With that, we suggest that you form an industry  
6 working group to work with the Board staff. And we'd like  
7 to talk to the staff more about the need for additional  
8 demand in the marketplace for organics.

9 With that, I thank you.

10 CHAIRPERSON PETERSEN: Thank you, Paul.

11 Evan Edgar. He had to go home. Okay.

12 Donna Carey.

13 MS. CAREY: Good afternoon, Board members. I'm  
14 Donna Carey with the Department of General Services. I  
15 administer the State of California's Travel Program, and I  
16 would have to say the most important slide was the  
17 California Green Lodging slide.

18 I have been with this program since the beginning  
19 of the Green Lodging Program, and I would just like to say  
20 that I am so delighted that there are so many hotels that  
21 are now green. Of course, there are close to 5500 lodging  
22 facilities in California, so you can see we have a ways to  
23 go.

24 But I just want to let you know the Department of  
25 General Services certainly supports this initiative. And

1 whatever we can do to provide our directory to you, it's  
2 available to you. We mark all of the lodging facilities  
3 with a green palm tree, and so we acknowledge any hotel  
4 who is a green hotel. And that's what I would just like  
5 to say. Thank you.

6 CHAIRPERSON PETERSEN: Thank you very much.  
7 Michael Pace.

8 MR. PACE: Good afternoon. My name is Michael  
9 Pace. I'm Director of Environmental Programs for Kimpton  
10 Hotels. We're based in San Francisco. I'm here to talk  
11 about -- I'll try to keep it little -- about the Green  
12 Lodging Program and how the partnership between Kimpton  
13 Hotels and the California Integrated Waste Management  
14 Board has led to the success of our company-wide program.

15 For those of you who aren't familiar with Kimpton  
16 properties, we're a collection of boutique hotels based in  
17 San Francisco, usually three diamond and four diamond. We  
18 have twelve hotels in the Bay Area, which is our home, and  
19 40 hotels nationwide. We're looking to grow to about 80  
20 or 85 hotels over the next five years. This is very  
21 aggressive growth for a company of our size.

22 When I was the General Manager, which is my  
23 primary role besides being Director of Operations and  
24 Environmental Programs at the Hotel Triton, which is one  
25 of our properties in San Francisco, I discovered we had 25



1 rooms, just 25 that were eco friendly rooms. And I just  
2 felt that the timing was right and the environment was  
3 right for us to take that concept and green the whole  
4 hotel. I set out on a personal mission to make the Triton  
5 the greenest hotel in San Francisco. I had to learn as I  
6 went along.

7 Well, luckily, I was introduced to Roberta  
8 Kunisaki and the Integrated Waste Management Board who at  
9 the time was putting together this Green Lodging Program,  
10 which I hadn't heard about because it was in the process  
11 of putting it together. Roberta and her team worked  
12 really closely with us and gave us and the leadership and  
13 direction to have a very cohesive plan put together as  
14 opposed to the second guessing we started off with.

15 We had such a similar program to the goals that  
16 the Integrated Waste Management Board had that the Hotel  
17 Triton was used as model for the program and used as an  
18 example of what other hotels could do to be successful.  
19 That was a great compliment to us. When the program was  
20 officially launched in September of '04, which isn't that  
21 long ago, we hosted the event at the Triton. And we were  
22 recognized as being one of the first few hotels to be  
23 certified in a leadership role in addition to being a  
24 model. So that was a huge kudos for us not really knowing  
25 how to get going and with the help and support of the

1 program reaching a milestone so quickly.

2           Once that happened, our CEO and our Chairman of  
3 our company asked me to head the program company-wide. We  
4 felt to tied into our values and our culture as much as it  
5 did with the EPA's mission statement. I've been working  
6 on that for the last year. In only a year, we've  
7 implemented all the practices that we started at the  
8 Triton in 48 hotels nationwide. Pretty big accomplishment  
9 I think, considering that the hotels are all different and  
10 all run like individual properties.

11           We have very aggressive water conservation  
12 programs, energy conservation programs. We only print on  
13 recycled paper using soy based ink. We're recycling as  
14 much as 70 percent of our waste in some hotels. That's  
15 pretty good. And it's tough, but we push ourselves.

16           We're also purchasing organic products. That's  
17 something we learned through the relationship and  
18 partnership with Integrated Waste Management Board. Who  
19 knew that organic coffee could taste so good? We're  
20 purchasing about 500 pounds a day of pesticide-free  
21 organic coffee.

22           The program is working. We've been very much  
23 incentivized by the relationship with the Integrated Waste  
24 Management Board. They gave us the expertise and  
25 direction and backing to move forward in areas we weren't

1 familiar with. And all this in less than a year. I'm  
2 standing here in front of you beginning of '06. We really  
3 only launched the program in March of '05. So it's under  
4 a year old. And we're already achieved all this.

5           Now what I think is really amazing is we went  
6 from 25 rooms to over 6500 rooms nationwide. It's not  
7 just California we're talking about here, because we are  
8 across the United States and Canada. We've received close  
9 to a dozen awards and recognitions from other cities.  
10 Again, I didn't realize this at the time, but you know New  
11 York City certified our new hotel there with a green  
12 design award. Massachusetts gave us an award, et cetera,  
13 et cetera, et cetera. The recognition is there and people  
14 are looking back to where it started, which is right over  
15 here with the Green Lodging Program and a little hotel in  
16 downtown San Francisco. It has taken a life of its own.

17           The program is so successful -- I know we're  
18 talking about 300 hotels out of 5500 I think in  
19 California. I think we should mandate it to everybody,  
20 because it's such a good program. And we enjoy doing it.  
21 You kind of get the buck. I'm a hotelier primarily, but  
22 have become an environmentalist through just a general  
23 passion I have, and now the 6,000 employees across the  
24 country who are passionate about it. Those are things  
25 that I think that work when you work like as a team like

1 we do now who are there to support you and motivate you  
2 and guide you in a very positive way. That's what makes  
3 programs like this work. And I think it's very exciting.

4 Our main competitors in San Francisco -- I won't  
5 mention their name, but they own boutique hotels, they're  
6 looking to copy what we're doing. They want to get  
7 certified as well. The word's out. You know, they want  
8 to catch up with us. I'm even meeting with the Hotel  
9 Council of San Francisco tomorrow to talk about how we can  
10 get all the San Francisco hotels on board with the green  
11 program and take my experiences with Kimpton.

12 It's a wonderful program. I can't say enough  
13 about it. It's working. It's very empowering. I think  
14 it's really a revolution in the industry. I know that's a  
15 big word. But if it wasn't for the seemingly small step  
16 of creating Green Lodging Program and having people like  
17 Roberta and her team working with so diligently with  
18 people like myself, I wouldn't be here. We wouldn't have  
19 an environmental program. And we wouldn't be doing all  
20 the great things we're doing.

21 We've already reduced energy and water in many  
22 hotels 20 percent in under a year. We're recycling over  
23 50 percent in the majority of our properties. We're  
24 purchasing organic products, like the 500 pounds of  
25 organic coffee a day. And we're not putting so much waste

1 into the water stream as well. You know, toxic chemicals  
2 that we used to clean guest rooms that we don't use  
3 anymore. I calculated about 200 bathtubs a month of  
4 toxics are being diverted from the water system, because  
5 we use eco-friendly products. I used a bathtub as a  
6 measuring tool because I'm a hotelier.

7 CHAIRPERSON PETERSEN: Michael, this is amazing.  
8 Congratulations on what you're doing. And congratulations  
9 to staff too and putting this all together. This is  
10 amazing. And like everything else, everything starts in  
11 California.

12 MR. PACE: Of course. So thank you for your  
13 time.

14 CHAIRPERSON PETERSEN: Thank you very much.  
15 Don Noble, please.

16 MR. NOBLE: Dan Noble, Executive Director of the  
17 Association of Compost Producers. So I'm introducing  
18 myself here today and appreciate the efforts and the work  
19 and this particular contract concept that we are having  
20 the pleasure to work on this year. Couple of things.

21 First of all, I wanted to acknowledge staff's  
22 efforts again. And not only their efforts, but their  
23 creativity and flexibility and leadership in this, Judy  
24 Friedman's team and Brenda and particularly Brian Larimore  
25 and Ken Decio who we're working closely with.

1           We have a lot of challenges in expanding organics  
2 markets, and I think we're just, you know, getting started  
3 and we're learning a lot of the barriers through this  
4 process in working with Caltrans. So I just -- and we  
5 sort of see this as a beginning of industry working more  
6 closely with the state. And this has also given us an  
7 opportunity to work with U.C. Riverside cooperative  
8 extension and the extension service.

9           So, in fact, out of this project came new  
10 concepts for working together on an ongoing basis, because  
11 developing organics markets is not something that we're  
12 going to, you know, ever have to stop doing. You know,  
13 zero waste in our book means 100 percent beneficial reuse  
14 product. And so that means building beneficial markets  
15 into landscape, water conservation, erosion control, and  
16 certainly agricultural as was brought out.

17           So we are actually crafting a proposal for a  
18 longer-term relationship which sort of leverages the Green  
19 Procurement Program into a partnership between our  
20 educational institutions, the Waste Board, and industry  
21 through ACP and other related associations. So I just  
22 wanted to make that introduction and hope we'll continue  
23 this as a beginning of a working partnership.

24           CHAIRPERSON PETERSEN: Great, Dan. Thank you  
25 very much. We're looking forward to it, too.

1           Sushma, it's S-u-s-h-m-a. I'm sorry.

2           MS. DHULIPALA: My name is Sushma Dhulipala. And  
3 I'm with the San Francisco Department of the Environment.  
4 Good afternoon, Board members.

5           I'm here today to represent the San Francisco  
6 Green Business Program. The city and county of San  
7 Francisco launched a Green Business Program in 2004, and  
8 it has been really successful. The goal of the program is  
9 to recognize businesses that demonstrate environmental  
10 responsibility through resource conservation and pollution  
11 prevention practices, so very similar to the Green Lodging  
12 Program, except instead of hotels, we work with  
13 restaurants, offices, a lot of other business sectors.  
14 And we have adopted the ABAG Green Business model. ABAG  
15 stands for Association of Bay Area Governments.

16           And I'm also really happy to report that in  
17 San Francisco we are working on a green business ordinance  
18 which creates an official green business recognition  
19 program for businesses located within the city and county  
20 of San Francisco. It has been approved by the Board of  
21 Supervisors and is expected to be signed by Mayor Newsom  
22 in the next few weeks.

23           I'm here today to support this partnership  
24 between the State Green Lodging Program and our local  
25 program. I cannot say enough about my excitement, because

1 it really helps us share our resources together. It  
2 creates a very positive working relationship between the  
3 state and local governments. And I think it paves the way  
4 for other partnerships with the local governments.

5 And I also want to say that it helps us achieve  
6 much more than we are able to achieve today. We at the  
7 local government level will be able to work with the  
8 businesses at the ground level, whereas the State Green  
9 Lodging Program can help us work at the corporate level to  
10 get more cooperation on board with this green wave.

11 So I, of course, am in support of the program and  
12 so is the city and county of San Francisco.

13 I also have a colleague with me that wants to say  
14 a little bit more. But if you have any questions, I'm  
15 happy to answer that. I think I spoke really quickly  
16 because I was trying to --

17 CHAIRPERSON PETERSEN: We appreciate it. Thank  
18 you very much. And I got it all. I got it all. Thank  
19 you very much.

20 MS. DHULIPALA: You're welcome.

21 CHAIRPERSON PETERSEN: Virginia St. Jean.

22 MS. ST. JEAN: Thank you, Board members. I'm  
23 Virginia St. Jean. I've been with the Department of  
24 Public Health in San Francisco for 16 years. And I can't  
25 tell you how excited I am to start working closer with



1 state agencies such as the California Integrated Waste  
2 Management Board on subjects like this, common ground. I  
3 mean, this is really wonderful. We're very excited to  
4 match up our local resources with what Roberta Kunisaki's  
5 group is, doing trying to maximize resources, yet somehow  
6 get efficient and become most effective as we can with  
7 local government. We have no extra resources to expend,  
8 certainly at local government. I don't think the state  
9 has any difference there.

10           What we can do at the local side is really  
11 maximize our partnerships we've already developed in the  
12 Green Business Program, such as our compliance partners,  
13 the conservation partners. San Francisco has a terrific  
14 city program for composting. We would love to have the  
15 state maybe help us promote that at the corporate  
16 purchasing level. Where we can help promote this at the  
17 ground level in San Francisco for the individual hotels.  
18 But when it comes to corporate policies, corporate  
19 purchasing policies, procurement, purchasing compostable  
20 utensils, recycled content, this is something we can't  
21 just get to at the local level.

22           Now, another thing I'd like to do is promote the  
23 fact that our standards are very similar, yet slightly  
24 different. And what we'd like to do is really get in the  
25 groundwork and provide a lot more day-to-day assistance

1 for hotels that might not be so progressive as the  
2 Kimptons, that are doing fabulous work. We have many  
3 other ones that I think need to find out more about the  
4 local resources, and we have a lot to share. What we'd  
5 like to do is come up with a synergy with our two  
6 programs, and we're very excited to partner with this  
7 project.

8 Now any questions on this? Honestly, I believe  
9 it's a win-win-win situation. I don't know how we could  
10 possibly work on corporate procurement practices as well  
11 as the state could. And yet, we have all our local  
12 partnerships in place. So I think it's a wonderful  
13 partner opportunity here.

14 CHAIRPERSON PETERSEN: Thank you very much.

15 MS. ST. JEAN: Any questions I can answer?

16 CHAIRPERSON PETERSEN: Great.

17 Brian Gitt.

18 MR. GITT: Good afternoon, Board members. Thanks  
19 for the opportunity to speak with you today. My name is  
20 Brian Gitt. I'm the Executive Director of Building Green.  
21 Building Green is a professional nonprofit organization,  
22 and our whole mission is to promote healthy, durable,  
23 energy and resource efficient building in California.

24 So I'm here today to talk about the new home  
25 green building guidelines. These guidelines the Waste

1 Board took a leadership role on towards the end of last  
2 year. And Building Green's role in this was we had this  
3 whole network of councils and guilds under the Building  
4 Green umbrella. We work extensively with public agencies.  
5 We have over 70 public agencies I represent here today  
6 that we work ongoing with and meet quarterly. We have  
7 suppliers. These are manufacturers, distributors, and  
8 retailers. Over 50 of them we work with. We have  
9 nonprofits, organizations, and others. We represent a  
10 broad coalition of the building industry.

11 And so Building Green's involvement in the  
12 guidelines process was that we got everyone to the table.  
13 We got everyone's input into this process so that we would  
14 truly have a document that wasn't just a government  
15 document, that wasn't just a private sector document. But  
16 it was a true document that represented the interests  
17 across the spectrum.

18 So we would really encourage the Waste Board to  
19 continue its leadership role in promoting these  
20 guidelines. After the process was put on hold last year,  
21 there was a ground swell of interest from public agencies.  
22 Our phone literally was ringing every single week. Not  
23 only the 70 public agencies we work with right now that  
24 are interested in printing these guidelines, disseminating  
25 these guidelines, and using them in their local

1 jurisdictions, but all over the state. These include  
2 Southern California cities, Northern California cities.  
3 And there is so much opportunity right now for the Waste  
4 Board to have a critical impact in waste diversion through  
5 construction and demolition waste recycling and other  
6 things associated with green building.

7           So the guidelines are a true educational tool.  
8 They do not preclude use with any other programs, such as  
9 the California Green Builder Program with the Building  
10 Industry Association. These guidelines are just a tool  
11 for the tool kit. You can use any of the existing green  
12 building programs that are out there that reference this  
13 document.

14           So with that, I really urge the Board to promote  
15 the use of these guidelines in the dissemination of these  
16 guidelines to the public agencies that are clamoring for  
17 it and really want to work with you and to implement this.  
18 Thank you.

19           CHAIRPERSON PETERSEN: Thank you very much.  
20 Appreciate it.

21           Karen Kho. Did I pronounce that right? Probably  
22 not.

23           MS. KHO: Good afternoon. Karen Kho with Stop  
24 Waste Org, also known as the Alameda County Waste  
25 Management Authority. I'm with the Green Building Program

1 which was initiated in the late '90s. And I just want to  
2 give you a little bit of background on how we have used  
3 our residential green building guidelines as a cornerstone  
4 of our waste diversion programs.

5 We initially issued a set of guidelines in 2000  
6 and worked very closely with city building officials and  
7 production home builders to create a document that would  
8 be applicable to mainstream building practices, but also  
9 to encourage use of recycled content products to encourage  
10 the construction/demolition diversion even beyond the  
11 50 percent that's in the model ordinance and also to  
12 encourage efficient construction practices so they would  
13 -- source reduction strategies.

14 And so we've used those since 2000. And they've  
15 been revised a couple of times. And a number of other  
16 cities and counties throughout Northern California and  
17 beyond have also re-printed the guidelines and in the last  
18 years or so has provided input to both the Waste Board and  
19 to building green to create a set of unified regional, if  
20 not statewide, guidelines. And so we think it's great  
21 that there's an opportunity here for the Waste Board to  
22 take a role in encouraging green building in the  
23 residential sector. So we encourage you to do so.

24 CHAIRPERSON PETERSEN: Thank you very much.

25 Scott Terrell.

1           MR. TERRELL: Scott Terrell. I'm with Truckee  
2 Donner Public Utility District. Thank you, Chairman and  
3 Board for the opportunity to come and talk to you. I'll  
4 try to keep it brief.

5           I work for the Truckee Donner Public Utility  
6 District. We're a small electric and water utility in  
7 Truckee. We help produce the green building resource  
8 guide that Debbie handed out a little while ago to you.  
9 We've gone from promoting it throughout Truckee to  
10 including Lake Tahoe, and Northern Nevada asked to be part  
11 of that guide beginning this year. So we're making a huge  
12 green building effort. I'm on the town of Truckee's Green  
13 Building Committee. We've made the guidelines, looking  
14 for incentives to encourage builders to build green  
15 buildings, our number one priority, several members of our  
16 group. I'm also with the Sierra Green Building  
17 Association, which you see on the front of the guide. I'm  
18 here to support the guidelines, and I hope you do, too.  
19 Thank you.

20           CHAIRPERSON PETERSEN: Thank you very much.  
21           Peter Bruck.

22           MR. BRUCK: Thank you, Chairman Petersen, members  
23 of the Board. I'm Peter Bruck with the city of Rohnert  
24 Park. I'm Deputy Chief Building Official. And I've been  
25 asked to convey to you, to the Board, that the state take

1 a leadership role in the development of green building in  
2 the state of California.

3           Currently, Sonoma County where I reside and work  
4 is alive with green building. City of Santa Rosa has a  
5 voluntary green building program. The cornerstone of that  
6 program is the Alameda Waste Management Green Building  
7 Guidelines. Hopefully, they'll adopt a new version as  
8 Building Green has them printed up. They have 485  
9 applications in for green building through that program.  
10 They have 60 homes that are built and certified as green  
11 built.

12           City of Rohnert Park has adopted the guidelines  
13 as a reference green building standard. And the staff has  
14 been directed to start formulating a green building  
15 program.

16           When I work with contractors and developers, one  
17 of the things we always talk about is consistency. When  
18 they move from area to area, the first thing they say is,  
19 what are your rules? What do you want from us? And one  
20 of the things that you can provide by putting the green  
21 building guidelines in the toolbox is consistency in green  
22 building standards so that when a contractor, developer  
23 learns something in one jurisdiction, they can move to the  
24 other jurisdiction and build on that instead of having to  
25 start from scratch and learn what the new procedure is.

1           So I encourage you to move forward, take a  
2 leadership role and put the building green building  
3 guidelines in your toolbox. Thank you.

4           CHAIRPERSON PETERSEN: Great suggestion. Thank  
5 you.

6           Last speaker is Tracey Harper.

7           MS. HARPER: Good afternoon, Chair Petersen and  
8 Board members. I'll be really brief since I'm last.

9           I just wanted to come and voice our support for  
10 the CalMAX Program. I don't think I've heard anyone speak  
11 about that so far. And we were the first jurisdiction to  
12 get our own specific portal into the CalMAX Program. And  
13 what that really means is that in the Nevada County if you  
14 are looking for used building materials, you can go onto  
15 our [nevadacountyrecycles.com](http://nevadacountyrecycles.com) website and click on one  
16 button, get right into the search engine and ask for what  
17 you want to see and have Nevada County only responses.  
18 And this is a great tool for us. And it's a diversion  
19 tool. Because what had happened before is people would  
20 look for things and consistently get materials in L.A. or  
21 San Diego or whatever. So this provides a real local  
22 support for reuse in our community.

23           We look to implementing a reuse center at our  
24 transfer station, and we're still looking at that. But  
25 for our county, the infrastructure costs are quite high.



1 There's no other activities like that going on. And yet  
2 we're a really highly connected community in terms of our  
3 computer savyness in Nevada County more so than many other  
4 counties. So we think this is a really good fit. So we  
5 can't really afford infrastructure right now for reuse,  
6 but we can direct people to utilize the Internet and have  
7 a Nevada County only website to use to exchange materials.

8 We're at 37 percent as of the end of 2004. We're  
9 about double the statewide average for construction and  
10 demolition materials. We are going to be implementing a  
11 C&D mandatory ordinance this year and working on  
12 developing some infrastructure. But that's mostly about  
13 demolishing things and then sending them somewhere and  
14 have the materials off a sort line. We'd really like to  
15 promote the higher, better use of materials, and this  
16 helps us do that. And the support that we get for that I  
17 think is really great for a local government. We would  
18 not be able to do this on our own.

19 And just sort of a funny thing in a way. We have  
20 a lot of equestrian facilities in our county. And we also  
21 have a lot of organic growers in our county. Just one  
22 manure exchange between the two accounted for 400 tons.  
23 When you're a small county, that's a lot. So one of the  
24 upgrades we actually asked for -- and I sent a letter last  
25 fall. One of the upgrades we asked for was to get a new

1 tab or new subject category for manure. Because right now  
2 you have to go to organics. And a lot of horse people  
3 don't really think of organics when they think of their  
4 horse manure. That's sort of the practical nature.

5           The other thing I want to just touch on was the  
6 use of RAC and the state taking a leadership role in  
7 changing the specifications. In my department, I work  
8 with the roads department. And we've had a green  
9 procurement and sustainable practices policy for -- well,  
10 I've been there four-and-a-half-years, so about four  
11 years. We've called for the use of RAC and other  
12 green-like materials when doing roadwork. But until  
13 Caltrans provides that specification and publishes it and  
14 communicates that to local governments, my local  
15 government won't do it. We're pretty risk adverse. You  
16 know, funds are really low. Our road budget was severely  
17 slashed two years ago, and this year they haven't  
18 recovered. So I asked them -- and I continue to. But to  
19 ask them to spend money on something that isn't  
20 necessarily within those specifications, I just get a lot  
21 of resistance. So once the specifications have been  
22 changed, I have the commitment from them they will then  
23 start to implement more green or RAC or whichever in the  
24 road department. So thank you.

25           CHAIRPERSON PETERSEN: Thank you very much. Wow.

1           That concludes all the speakers. Are there any  
2 comments or questions from the Committee?

3           COMMITTEE MEMBER PEACE: I'm just wondering,  
4 where do we go from here? The proposals that are in here  
5 say from the \$100,000 for the agricultural growing  
6 contract and the \$200,000 for an interagency agreement  
7 with DGS. Are these going to be part of that IWMA  
8 allocation item we're going to see next week?

9           EXECUTIVE DIRECTOR LEARY: They aren't currently  
10 as part of that agenda item. But they could be factored  
11 into your thinking. And maybe as staff makes the  
12 presentation, we can add them to the list for at least a  
13 placeholder perspective. In other words, we compare the  
14 need for these contract dollars versus the contract  
15 dollars that are currently part of the agenda item in your  
16 thinking.

17          COMMITTEE MEMBER PEACE: Because, I mean, all  
18 these things sound great. But, of course, they all sound  
19 like good programs. But we have to look at the funds  
20 available and personnel available and think if we're going  
21 to do these, we need to cut things other places. And it's  
22 hard for me to say without seeing the whole big picture.

23          EXECUTIVE DIRECTOR LEARY: But I think, Member  
24 Peace, we were hoping that this would give you enough of a  
25 sense of what's being envisioned in some of these ideas

1 that you could at least give them some discussion about  
2 the relative priority. We will have I'm not sure how many  
3 contract allocation proposals before you next week as part  
4 of the agenda item -- four. Four. And then you can  
5 factor these into your thinking and give us a sense of  
6 your relative priority.

7           Maybe there are some things among that suite of  
8 what may now be six or seven that you want to go forward  
9 immediately. And you can give us that direction next week  
10 as part of the full Board agenda and then ask for further  
11 definition of some of these allocation proposals that are  
12 part of this item for March consideration. So you have  
13 lots of options. We can table the whole thing until next  
14 month, just discuss it and wait for a fuller presentation  
15 of all the contract proposals in March. Or are there some  
16 things you together agree that is top priority and needs  
17 to go forward? Why wait another month? We can launch  
18 them next week.

19           COMMITTEE MEMBER PEACE: Is there money there to  
20 do all these things?

21           EXECUTIVE DIRECTOR LEARY: I don't know the  
22 numbers off the top of my head. But that certainly will  
23 be ready for our discussion on Tuesday, if not sooner. I  
24 mean, maybe we can update some of the charts that are a  
25 part of that in the next --

1 COMMITTEE MEMBER PEACE: Some of the things that  
2 are in this item today will be part of the allocation item  
3 we see on Tuesday? They will or won't?

4 EXECUTIVE DIRECTOR LEARY: Let me ask Tom if he  
5 can turn it into something.

6 DEPUTY DIRECTOR ESTES: Board Member Peace, these  
7 concepts will not be -- as the item is going forward on  
8 Tuesday to the full Board, there is \$685,000 available in  
9 IWMA funds after the allocation that was made in  
10 September. The proposals that will come forward I believe  
11 total 500,000. So that would be approximately \$185,000  
12 not spoken for, if you will.

13 Of course, it's your discretion whether you want  
14 to fund everything going forward, like Mark was saying, or  
15 you want to defer it until March. The issue is we're  
16 starting to get late in the year, and we want to be very  
17 mindful of our contract process.

18 The other thing I will offer is it's our goal to  
19 bring the next fiscal year's allocation ahead a lot sooner  
20 than you normally see it. You normally see it, you know,  
21 in the fall. It's my goal, Mark's goal, I think to bring  
22 this to you in May or June time frame. So there will be  
23 another round of contract concepts. And there will be  
24 some more funds made available once the Governor's budget  
25 is signed. So all hope is not lost here.

1           COMMITTEE MEMBER PEACE: So even if we have funds  
2 available, do we know if we have personnel then available  
3 to do all these things? So all the things that you  
4 mentioned today, you're telling us there's enough staff  
5 now to do them? Or do we have to take people from other  
6 places to do all these things?

7           ACTING DEPUTY DIRECTOR FRIEDMAN: For the most  
8 part, we have the staff to do them.

9           COMMITTEE MEMBER PEACE: You don't need any extra  
10 staff? You're just looking for extra dollars here and  
11 there --

12          ACTING DEPUTY DIRECTOR FRIEDMAN: In some other  
13 cases, we were looking for dollars. In other cases, we  
14 were looking for, yes, go forward and continue doing this.  
15 The dollars we need are up there right now depicted for  
16 these specific things. There were some elements that we  
17 were just saying, you know, is this a priority? Should we  
18 continue doing it? Some things we were looking -- Tracey  
19 Harper spoke about CalMAX. We were looking to upgrade the  
20 database and website. We aren't asking for additional  
21 dollars to do that. We would use existing funding for  
22 that. So it's a mixture of things.

23          CHAIRPERSON PETERSEN: Okay. Thank you.

24          EXECUTIVE DIRECTOR LEARY: Let me just add onto  
25 that a little bit. It's true all the resources are

1 available personnel-wise anyway to continue implementing  
2 these program as we always have. But by doing so -- and  
3 I'm not arguing against any of these being a high  
4 priority. By doing so, you fail to free up resources to  
5 redirect to what you may consider to be higher priority  
6 activities. It goes back to the old saying, if everything  
7 is a priority, then nothing is a priority. I think we  
8 have to be mindful of that. The more resources we tie up  
9 in a multitude of activities, the less resources we have  
10 available to make the Market Assessment Plan a priority,  
11 the Green Procurement Action Plan a priority, the other  
12 Action Plans the Board has identified as its priority  
13 activities.

14 CHAIRPERSON PETERSEN: I'd like to introduce  
15 Rosalie Mulé, our other Board member. I apologize for not  
16 introducing you.

17 Do you have some comments?

18 BOARD MEMBER MULÉ: Yes, I do. Thank you very  
19 much.

20 My understanding for this item as with all the  
21 other Action Plan item was just to provide an update to  
22 the Board as to what the activities are. It was not to  
23 give staff direction on whether or not to continue with  
24 various programs.

25 Furthermore, my understanding is that we are

1 going to discuss what are our Board priorities are and our  
2 program priorities and our resource allocation based on  
3 these priorities will be discussed at our offsite. So I  
4 want to make sure that I'm not misunderstanding what the  
5 purpose of this item is. And so again, Mark, if you could  
6 just clarify.

7 EXECUTIVE DIRECTOR LEARY: No, Member Mulé, you  
8 missed my introduction early on. I said as part of my  
9 introduction this was largely an effort to increase the  
10 level of understanding among all the Board members about  
11 all of these activities that are currently ongoing. And  
12 that although the Request for Direction was in the title,  
13 I attempted to de-emphasize that as part of my  
14 introduction because of the relative newness of some of  
15 the members and that we need to increase the level of  
16 understanding before we can have a meaningful,  
17 knowledgeable conversation about priorities.

18 BOARD MEMBER MULÉ: I apologize for not being  
19 here. I had to be across the street for a previous  
20 meeting.

21 But I just wanted to make sure that we're all on  
22 the same page with this. Because, again, with the other  
23 Action Plans, I don't recall us providing direction to  
24 staff. But I do think it was a great exercise in terms of  
25 bringing all these programs forward to our newer Board



1 members so they can understand the variety that we work  
2 on. There's such a variety of projects we do work on.  
3 Thank you.

4 Appreciate that, Chair.

5 CHAIRPERSON PETERSEN: I'd like to thank you,  
6 Mark, and everybody on staff. And everybody on the staff  
7 today was fabulous.

8 I'm sorry, Margo.

9 BOARD MEMBER BROWN: Thanks, Gary.

10 I do want to thank staff. It was a tremendous  
11 overview. And you are working on a lot of programs. And  
12 it will be helpful looking at the Action Plan to see where  
13 our priorities are. It does seem, like you mentioned,  
14 Mark, that we are spread pretty far. You know, I will  
15 look forward to talking to you a little bit more about the  
16 green procurement toolbox and where we take the lead role.  
17 Whether we are the appropriate agency to take the lead  
18 role on some of those things, I have a significant  
19 question about. You know, we assist and we guide local  
20 agencies. And why we would take the lead role in building  
21 I'm not quite clear on. So I'll look forward to a healthy  
22 discussion in that area. Thank you.

23 CHAIRPERSON PETERSEN: Great. Again, I think  
24 staff did a grand job today, everybody. I can't thank you  
25 enough. I'm so overwhelmed I'm going to go take a green

1 nap.

2 So anyway, are there any other comments or  
3 questions?

4 ACTING DEPUTY DIRECTOR FRIEDMAN: Chairman  
5 Petersen, Tracey Harper mentioned she had submitted a  
6 letter last September on CalMAX. And I do need to say for  
7 the record that I have a whole packet of those letters  
8 supporting CalMAX as well. We had let CalMAX folks users  
9 know we were going from the printed calculus to the  
10 electronic medium last summer, and they on their own  
11 submitted a bunch of comment letters going that's fine,  
12 but we want CalMAX. So I'll share those with you all.

13 CHAIRPERSON PETERSEN: Thank you very much.

14 With that, if there's no other business, this is  
15 adjourned. Thank you.

16 (Thereupon the California Integrated Waste  
17 Management Board, Sustainability and Market  
18 Development Committee Adjourned at 3:40 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand  
3 Reporter of the State of California, and Registered  
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the  
6 foregoing hearing was reported in shorthand by me,  
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the  
8 State of California, and thereafter transcribed into  
9 typewriting.

10 I further certify that I am not of counsel or  
11 attorney for any of the parties to said hearing nor in any  
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand  
14 this 21st day February, 2006.

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